SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, MARCH 17, 2005

8:40 A.M.

(PAGES 2456 THROUGH 2517)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 2456

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1 I N D E X
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3 Note: Mr. Sneddon is listed as “SN” on index.
4 Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
5 Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
6 Mr. Sanger is listed as “SA” on index. Mr. Oxman is listed as “O” on index.
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9 PLAINTIFF’S WITNESSES DIRECT CROSS REDIRECT RECROSS
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11 COLEMAN, Fritz 2461-Z 2473-M 2501-Z
12 FOURNIER, Kiki 2504-Z
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Santa Maria, California
Thursday, March 17, 2005
8:40 a.m.

THE COURT: Good morning.
THE JURY: (In unison) Good morning.
COUNSEL AT COUNSEL TABLE: (In unison)
Good morning, Your Honor.
THE COURT: The reason we're starting a little late this morning is we had a conference with counsel. And, for several reasons, I'm going to release the jury tomorrow so that they do not have to be here.
And the reasons are, one, that one of the jurors has a pressing family matter that, while it doesn't demand that we close the court down, it would be better if we did.
Secondly, the attorneys and myself have been, I think, pushing ourselves very hard, or I've been pushing everybody very hard. Depends on how you look at it. And I think a break for everybody is in order.
And there are three or four minor -- by "minor," I mean -- I shouldn't say "minor." There are three or four issues that the attorneys and the Court need to deal with before next week. They're issues that have been mentioned yesterday that we just couldn't get to. This way, we can work for 2459

what I would anticipate to be a short time tomorrow morning on those issues, and then you would have the rest of the day off. We all would have the rest of the day to do our other work. So that's what I'm going to do.

The Court will also be in session only one-half a day next Tuesday. Tuesday afternoon we are dedicating the new Juvenile Court facility, and the new Juvenile Hall in Santa Maria out on -- off of California Street. And of course you're all invited. I know, I won't see you there. But that's the reason that we will not be in session Tuesday afternoon. I will stop at 11:30, at our normal 11:30 break.

All right. I think that that takes care of the issue of being dark tomorrow.

And Mr. Jackson, you do not need to attend, unless you want to, tomorrow morning.

THE DEFENDANT: Okay.

MR. SANGER: Thank you.

THE COURT: Are you ready to proceed.

MR. ZONEN: Yes, Your Honor. We'll call our next witness. We call Fritz Coleman to the stand, please.

THE COURT: Remain standing, raise your right hand, please.

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FRITZ COLEMAN
Having been sworn, testified as follows:

THE WITNESS: Yes, I do.
THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: Fritz Coleman, F-r-i-t-z C-o-l-e-m-a-n.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. ZONEN:
Q. Mr. Coleman, good morning.
A. Good morning.
Q. Sir, what is your current occupation.
THE COURT: Back in the back, Counsel. Is your mike on.
Thank you.
MR. ZONEN: Yes, it is.
Q. Sir, what is your current occupation.
A. I'm a weather forecaster at Channel 4, the local NBC station in Los Angeles.
Q. And how long have you held that position.
A. 23 years.
Q. Prior to that, did you have other television experience.
A. Minor television experience. That was my -- I was in the stand-up comedy business before that, 2461

1 actually.
2 Q. Do you know Jamie Masada.
3 A. Yes, I do.
4 Q. Do you know the business that he runs.
5 A. Yes, I do.
6 Q. What business is that.
7 A. Owner of The Laugh Factory, a comedy club in
8 Hollywood.
9 Q. And tell us what The Laugh Factory is. What
10 do they do.
11 A. The Laugh Factory is a comedy nightclub that
12 has one to two shows per night every week where a
13 cavalcade of five to six comedians perform every
14 night.
15 Q. Have you ever performed there.
16 A. Yes, I have.
17 Q. Do they have a camp, a summer camp, that
18 they run out of The Laugh Factory.
19 A. Yes, they do.
20 Q. Have you ever worked with that summer camp,
21 with the children who go there.
22 A. Yes, I did.
23 Q. And the type of children who go there,
24 they're from where.
25 A. Underprivileged children, at-risk children.
26 Group homes, poor families.
27 Q. How long has that summer camp existed.
28 A. I don't know the answer to that. I think 2462

five or six, seven years maybe.
Q. All right. Did you ever have an opportunity to meet any of the children in the Arvizo family.
A. Yes, I did. I was invited, as were many of the comedians that performed at The Laugh Factory, to be a guest teacher for one day, on one Saturday. And the Saturday that I taught there, I met all three of the children.
Q. Can you tell us their names. Do you recall their names.
A. Gavin, Star, and Davellin.
Q. Were either of their parents, a mother or father, present at the time that you met them.
A. The mother came to pick them up at the end of the day. That was my brief encounter with her.
Q. And do you remember her name.
A. I don't know, I'm sorry to say.
Q. And did the children perform during that day.
A. Yes, they did.
Q. Did you work with them during that day.
A. Yes, I did.
Q. And how did you find them at that time.
A. I found them personable and polite and charismatic and --
Q. And do you remember how long ago that was.
A. I would say 1999.
Q. At some time did you learn that one of the 2463

three children became afflicted with cancer.
A. Yes.
Q. Do you recall when that was, the year that was.
A. Um, I think it was 2000, because after my tenure as the teacher there, I lost touch with the family until a group of people just sort of began to discuss that Gavin was in Kaiser with cancer.
Q. All right. At some point in time, did you have an occasion to visit their home, the Arvizo family home.
A. Yes, I did. Once. The Christmas after the summer when I was the instructor there, my good friend, Louise Palanker, and I decided that we would, for lack of a better term, adopt this family for Christmas. They were, to our learning, in dire financial straits.
And I had two young sons who were 12 and 10 at the time, and wanted to seize an opportunity to do something nice for a family and sort of bring them along the process, just to help them appreciate more what they had in their own lives.
So my friend Louise and I went to Best Buy, and bought several hundred dollars worth of Christmas gifts - video game equipment, movies - and wrapped them. And then my sons and I and Louise took them down to their home in East L.A., and I was in their home for a total of 20 minutes, just to 2464

drop the gifts off, and get hugs from the kids, and we were out of there.
Q. Did anybody from the Arvizo family solicit those gifts.
A. No.
Q. Did they ask you in advance.
A. No.
Q. Did they know in advance that you were doing this.
MR. MESEREAU: Objection; calls for speculation.
THE COURT: Sustained.
Q. BY MR. ZONEN: Did you tell them in advance that you were doing this.
A. I don't think so. I think after we bought them we said, "May we pay you a Christmas visit." And they sort of -- they knew before the precise moment we took gifts down there, but it was something we just sort of did a couple of weeks in advance and brought them into the process later. They didn't know before we shopped or anything. It was totally our idea.
Q. All right. How did you know where they lived.
A. My friend Louise got their address, and we just navigated our way down there.
Q. Was Gavin healthy at the time or -- was this prior to the -- 2465

A. This is before the cancer, yes.
Q. And the kids were approximately how old at that time, if you recall.
A. I would say between 8 and 11. Somewhere in that area. I'm sorry I can't be precise.
Q. Did you, in fact, go to their house and go into their apartment.
A. Yes, I did.
Q. Do you have a recollection of what the apartment looked like.
A. Yes, it was very small. Very clean. And I remember that the room was partitioned with sheets, because there were -- with the three children and the two adults, five people, living in a very small space. I was just stricken with how small it was.
Q. And the small space you're describing, was it more than one room.
A. I didn't take a tour of the home. It seemed like it was one room. Again, partitioned by these sheets that they had set up to sort of divide areas of the room.
Q. When you were there, did you have a conversation with any of the members of the family.
A. Yes. The people who were there. I -- I'm not actually sure if the father was there. But I remember the mother being there, and the three children. And it was really a very brief encounter. 15 to 20 minutes. 2466

Q. Would you describe the mother's reaction to your bringing the gifts.
A. Very thankful. The children, very thankful. I got the feeling that this might have been the only Christmas they were going to have. It just seemed like it was the right thing to do, and perhaps it was -- it saved Christmas for them. That was my feeling. They never expressed that, but it was my feeling.
Q. And your kids came into the home as well.
A. My children came into the home. My young son was actually afraid to get out of the car. This was not a neighborhood that he was familiar with, so he had to be coerced from the car.
So my older son went in with me first, and then we went and got my younger son, who wanted to stay in the car.
Q. All right. When was the next time that you had an opportunity to visit with any member of the Arvizo family; do you recall.
A. Having learned that Gavin had cancer, I saw -- I don't remember which of the siblings was at the hospital, but the next time I saw him was he and his dad at the hospital.
Q. What was Gavin's condition at the time you saw him.
A. Very ill.
Q. How did he appear to you. 2467

A. He appeared very drawn and pale. And this was in the darkest days of his diagnosis when they weren't sure he was going to make it. And he was very sick to his stomach, and it was very hard to watch.
Q. All right. How many times do you believe you visited him at the hospital.
A. Several. I would say between three and five, if my memory serves me.
Q. During the period of time that he was ill, were you involved in any fund-raising efforts on behalf of either the Arvizo family or Gavin Arvizo specifically.
A. Yes, I was. The Laugh Factory decided they wanted to do a fund-raiser for this family. It was apparent to us that they needed the money, because David was not working. He was staying every night at the hospital with Gavin, and so we thought it would be a good idea.
I'm not exactly certain where this idea came from. I'm assuming it was Jamie Masada, because he did those things all the time, charity events at the club.
And so I was happy to be involved. I was happy to make an announcement on my television station about it. My station was very liberal in allowing me to do community outreach charity events like that, as long as I didn't benefit from them 2468

personally.
And so I made an announcement inviting our viewers to come, and also made an announcement about the need for blood for Gavin. He needed transfusions at that time. And so we did this benefit, as we've done for many other people.
Q. Did Gavin's mother involve herself in any way with you in efforts to arrange solicitation for his charitable donations.
A. Not with me, no.
Q. Did she ever have a conversation with you at all about that.
A. No.
Q. Did you have a conversation with any member of the Arvizo family for that.
A. No, my relationship for that fund-raiser was totally with Jamie Masada. It was -- he spearheaded the evening, and I was just doing sort of what he suggested.
Q. Do you remember if there was actually -- if the fund-raising effort actually occurred.
A. Yes.
Q. Was that at The Laugh Factory.
A. Yes.
Q. Tell us where The Laugh Factory is.
A. It's the corner of Laurel Canyon and -- Laurel Avenue and Sunset Boulevard in Hollywood.
Q. That particular event, did that take place 2469

1 in the evening.
2 A. Yes.
3 Q. Do you remember approximately when it took
4 place.
5 A. It was a weekday event. If it's like his
6 other shows, if I can remember, it was probably an
7 eight o'clock start, and there were five or six
8 comics. And I was on early in the evening, because
9 I had to go back and do the eleven o'clock news.
10 Q. Do you know if that was during the time that
11 Gavin was still ill with cancer, before he went into
12 remission.
13 A. I can't be certain about that, but it seems
14 to me like it was close to the beginning of his
15 being ill when we were all concerned about him every
16 day. I think it was close to the beginning, if I'm
17 not mistaken.
18 Q. Was that in conjunction with the effort to
19 get blood to him.
20 A. Yes.
21 Q. All right. Which would suggest that he was
22 probably still in need of it.
23 A. Yes.
24 Q. Did you see the mother of this child,
25 Gavin's mother, at that fund-raiser at The Laugh
26 Factory.
27 A. No.
28 Q. Do you remember if you saw any other member 2470

of the Arvizo family.
A. I saw David. I went in the front door upon arriving, and my recollection was that they had a table set up to the right of the entrance of The Laugh Factory where they had, I'm not sure how many people, but it seemed to be a representative of The Laugh Factory and David himself and people taking tickets, and maybe taking further donations if anyone decided to make a donation to the family over and above what the cover charge of the club was. But I couldn't tell you how many people. David was the only person, other than Gavin, that I saw there that night.
Q. All right. Were you involved in any way in the distribution of the money that was collected.
A. No. No.
Q. Are you aware as to how much money was collected that night.
A. No. Check that. I heard in conversation afterwards that it was a couple thousand dollars. Just in talk amongst the comics and Jamie. But it was an unofficial thing. I saw no bookwork, I saw no cash exchange hands. I wasn't involved in that at all.
Q. Could you tell if it was a fairly good turnout at The Laugh Factory.
A. That club is always full, so I -- it probably was a relatively full room. I couldn't 2471

tell you exactly how many audience members were there.
Q. Do you remember what other comedians were there.
A. Well, I was at the beginning of the show, because I was -- again, it was a lunch break for me, and I was on my way back to do the news. I think that Chris Tucker was there. Maybe Bob Saget. Some of the ongoing Laugh Factory regular comedians. But I didn't see the rest of the show, so I couldn't swear to their presence there, honestly.
Q. Do you remember any other occasion where you may have seen the mother of Gavin, Gavin's mom.
A. I saw Gavin's mom a total of three times in my whole experience with the family. One was when she came to pick the children up at the end of comedy camp. The other time was when we delivered the presents to her house. And the last time was my final visit to see Gavin in the hospital after his first bout. She came in toward the end of my visit there. And I hadn't seen her. I think the legend was that because David was not working and staying with Gavin, she was working all the time. So they were never at the hospital at the same time. However, my last visit, she came in at the end, and that was it. And that was a total of a 2472

half hour.
Q. Do you remember anything unusual about your conversations with her at all.
A. No.
Q. Did she ever solicit money from you.
A. No.
Q. Did she ever ask you to do anything on her behalf or on behalf of her family.
A. No.
Q. Was there anything at any time inappropriate about her behavior with you.
A. No.
MR. ZONEN: Thank you. I have no further questions.
THE COURT: Mr. Mesereau.
MR. MESEREAU: Yes, please, Your Honor.

CROSS-EXAMINATION
BY MR. MR. MESEREAU:
Q. Good morning, Mr. Coleman.
A. Good morning.
Q. My name is Thomas Mesereau and I speak for Mr. Jackson.
We have not met before.
A. Right.
Q. Never spoke on the phone.
A. No, sir.
Q. You did talk to one of our investigators, 2473

Mr. Scott Ross, right.
A. Right.
Q. How many times did you speak to him.
A. Two times in person, one time when he did the initial interview, and one time when he issued my subpoena. And I think one time on the phone, I think.
Q. Okay. When did you first meet the Arvizo family.
A. I met them at the comedy camp, as I stated earlier, which was a Saturday in the summer, I think, of 1999. It was a one-day encounter with them, because each of the instructors was only there for one day.
Q. Okay. Now, at that point was Gavin ill.
A. No.
Q. Okay. Approximately when do you recall Gavin becoming ill.
A. I remember learning about it - I'm real fuzzy about this - anywhere from six months to a year after I met the family. I'm sorry, I'm --
Q. Okay. And approximately when do you think the fund-raiser took place.
A. I want to say -- I'll be honest with you, the timeline that we've discussed since this investigation started seems to be about October 2000.
Q. Okay. Now, at some point, did you learn the 2474

Arvizo family had obtained over $100,000 in a lawsuit with J.C. Penney.
A. No, I hadn't.
MR. ZONEN: Your Honor, I'm going to object to information that would be hearsay. Move to strike.
THE COURT: Overruled.
Q. BY MR. MESEREAU: Did you ever have a discussion with any of the Arvizos about their filing a lawsuit against J.C. Penney.
A. No. My first knowledge that I was even mentioned in the J.C. Penney arrest was when the New York Daily News called me at the beginning of this case to ask me if I had a comment about it, and that was my first learning of that information.
Q. And what did you learn about your name being used in that case.
MR. ZONEN: I will object as hearsay.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you learn at some point that your name had come up in the J.C. Penney lawsuit.
MR. ZONEN: I will object as hearsay.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you know anything about Janet Arvizo telling the Los Angeles Police Department when she called them about David that you were going to help her -- 2475

MR. ZONEN: I'm going to object as hearsay and irrelevant.
THE COURT: I have to have the complete question.
Did you finish the question, Mr. Mesereau.
MR. MESEREAU: I'm not sure. I think Mr. Zonen may have interrupted before I completed it, Your Honor.
THE COURT: I can't tell if you completed it either.
MR. MESEREAU: I can rephrase it, Your Honor.
Q. Mr. Coleman, did you ever authorize Janet Arvizo to tell the Los Angeles Police Department that you were going to help her in a domestic violence case against her ex-husband David.
A. Never.
Q. Did you ever learn that she had told the Los Angeles Police Department, "Fritz Coleman, Kobe Bryant, and Michael Jackson are going to help me in my case against my husband".
A. Yes, I did.
Q. Where did you learn that.
A. I learned it from a New York Daily News reporter who was calling me to get comments about this particular case.
Q. And did you respond.
A. I said I knew nothing about it. 2476

Q. So you never had a discussion with her about that.
A. No.
Q. You never authorized her to use your name, correct.
A. No.
Q. Have you ever authorized Janet Arvizo to use your name in any lawsuit.
A. No.
Q. Okay. Have you ever discussed any lawsuit with Janet Arvizo.
A. No.
Q. Okay. Now, you indicated that you visited the -- what was described to you as a family residence in East Los Angeles, right.
A. Yes.
Q. And that was on Soto Street, right.
A. Yes.
Q. Okay. And who arranged for you to visit the residence at Soto Street.
A. My friend Louise Palanker, who was working at The Laugh Factory at the time, and was sort of my liaison with the family. She learned the address. I don't know how she learned the address. But she had the instructions, and I drove.
Q. Now, did anyone ever tell you that there was a second address in El Monte that the family used.
A. No. 2477

Q. Did you know anything about where their grandparents lived.
A. No.
Q. Okay. Have you ever been to a different location in El Monte where that family has lived.
A. No.
Q. Okay. Were you aware of any efforts by the Arvizos to obtain automobiles from other celebrities.
A. No.
Q. Knew nothing about any attempt to obtain an automobile from Michael Jackson.
MR. ZONEN: I'll object as hearsay.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Were you aware of any other attempts by the Arvizo family to obtain cash from celebrities, other than the fund-raiser you're talking about.
MR. ZONEN: I'll object as vague. Which Arvizo.
MR. MESEREAU: I'll go through them. I'll rephrase.
Q. Were you ever aware of any attempt by Janet Arvizo to obtain cash money from any celebrity.
A. No.
Q. Were you ever aware of David Arvizo attempting to obtain cash from any celebrity.
A. May I say that I had heard conversation 2478

about him having done that. I don't know if it works in this case. There were some stories that he had approached George Lopez and was -- David, and was fairly persistent about it, raising George's anger.

Again, this is hearsay. I heard this third-person rumor. But there were conversations around The Laugh Factory that he, in fact, had become a problem with George Lopez.

Q. Were you ever aware of Gavin Arvizo calling Jay Leno on the phone to ask for money.

A. No.

MR. ZONEN: Assumes facts not in evidence; objection.

THE COURT: All right. The answer is in: "No." And next question.

MR. MESEREAU: Okay.

Q. Did you ever hear of Janet Arvizo approaching Mr. Leno for money.

MR. ZONEN: Objection; assuming facts not in evidence.

THE COURT: Calls for hearsay. Sustained.

Q. BY MR. MESEREAU: To your knowledge, was Janet Arvizo approaching any other comedian and asking for money at the same time that you were making efforts to raise funds for the family.

A. No.

Q. Okay. Were you -- did you have any 2479

knowledge of either -- well, let me just go one at a time. Did you have any -- let me rephrase it.
MR. ZONEN: I'm going to object to any questions starting with "Do you have knowledge" if there's no foundation that it's personal knowledge.
MR. MESEREAU: Well --
MR. ZONEN: Simply hearing something from somebody else is hearsay.
THE COURT: We have to wait till the question is completed. And you can't object in advance to all questions.
Go ahead.
MR. MESEREAU: Thank you, Your Honor.
Q. Mr. Coleman, obviously you were involved in efforts to raise money for the Arvizo family, right.
A. Yes.
Q. And the motivation for your efforts was your belief that the Arvizo family needed money for medical expenses, true.
A. I would say that my understanding was that the Arvizo family needed money, and I -- my involvement wasn't because of a specific need for medical expenses. It was just that I had been to their home and know that, for whatever reason, they needed money.
Q. But you had mentioned to our investigator, Scott Ross, on one occasion, that it was your belief that you were raising money for medical expenses for 2480

Gavin, correct.
A. That may have been part of the conversation.
But I think my original desire to be involved with
it really wasn't that specific. I just said, "Yes,"
not even needing specific areas where the money
would go.
Q. Did you know that the Arvizo family was
engaged in any other fund-raising efforts at the
time that you were doing this.
A. No.
Q. Did you know of any newspaper ads saying
chemotherapy costs $12,000 a session. Do you know
anything about that.
A. No.
Q. Okay. And did you ever have a discussion
with any of the Arvizos about whether they had
insurance coverage that was paying all the medical
bills.
A. No.
Q. Okay. Did you know anything about efforts
to solicit funds or benefits from Los Angeles police
officers.
A. No.
Q. Okay. Now, I assume you met Star Arvizo,
correct.
A. Right.
Q. Davellin Arvizo, right.
A. Uh-huh. 2481

Q. Obviously Gavin.
A. Yes.
Q. And you met his mother.
A. Yes.
Q. And you met David.
A. Yes.
Q. Did you meet any other people that were related to the Arvizos, to your knowledge.
A. No. No.
Q. And you visited their home on Soto Street in East Los Angeles how many times.
A. Once.
Q. And was the purpose, in your mind, for you to donate something to the Arvizos.
A. It was -- my purpose in it was to teach my children something, which was we're going to do something for folks who can't afford to have a really good Christmas like we always have. And Louise and I -- and I don't know when the conversation came up -- said that this would be a great way for us to do that, to take care of the Arvizos, that we had become very fond of because of comedy camp, and to do this for my kids. It was just -- it was a spur-of-the-moment thing. That was the only reason.
Q. Now, correct me if I'm wrong, I think you said in response to the prosecutor's questions that it was your belief David Arvizo was not working, 2482

right.
A. Well, I don’t see how he could have been, because he was at the hospital every time and slept overnight in an adjacent bed. So I think we all assumed that he had taken a leave from work or was not -- between jobs or something. No one told me that. It was just sort of what we observed.
Q. And did you know at that time whether or not Janet Arvizo was actually working.
A. I was told that she was, which was why we never saw her at the initial few visits to the hospital.
Q. Okay. You mentioned a blood drive.
A. Uh-huh.
Q. Or I think the prosecutor mentioned a blood drive.
Were you part of any effort to put together a blood drive for Gavin.
A. I wasn’t part of putting it together. I made an announcement on television about this benefit, which I’m allowed to do unofficially all the time.
And in the context of that announcement, I mentioned that “We’re also trying to find some blood for this child.” But I wasn’t part of the organizing of the drive, or the location, or the times, or the official carrying out of the event at all. 2483

Q. Were you ever aware of Michael Jackson putting together a blood drive for Gavin.
A. No.
Q. Okay. So you never participated with Michael Jackson --
A. No.
Q. -- in any fund-raising activity --
A. No.
Q. -- or blood-drive activity.
A. No.
Q. Okay. Now, who told you this family was impoverished.
A. Well, the prerequisite to be in the comedy camp was to be from a needy situation. They had children who were from group homes with disciplinary problems, emotional problems, or people from poverty stricken areas. That was Jamie's mandate. So that them just being in attendance at this comedy camp sort of put them in that area.
Q. Now, this would have been before Gavin became ill, correct.
A. Right. That was my first meeting with him, which was the summer of '99.
Q. Now, when you first met the Arvizos before Gavin became ill, was it your understanding that David was employed.
A. I didn't have an opinion about it at that point. I knew nothing about the family's personal 2484

life. I just knew that they were probably in these circumstances because they were there.
Q. And before you -- excuse me. When you first met the Arvizos, again, before Gavin became ill, was it your belief that Janet was unemployed.
A. I -- again, I didn't have that knowledge. I just --
Q. But your assumption was they must be poor or they wouldn't be in this program, correct.
A. Absolutely.
Q. And you never had -- made any effort to find out whether they were working or not working, right.
A. No.
Q. Did you know whether or not they were collecting welfare.
A. No.
Q. Did you know whether or not they were collecting disability benefits.
A. No.
Q. Do you know whether or not they were collecting food stamps.
A. No, sir.
Q. Okay. Were you aware of their being in any other programs for impoverished families.
A. I knew nothing about their personal life at all.
Q. Now, you were active in The Laugh Factory at that point, right. 2485

A. Yes. Uh-huh.
Q. And were you active in organizing this summer camp that you've described.
A. No, I was a guest teacher. Every Saturday they had a different guest. Arsenio Hall and George Lopez and Bob Saget and comedians who worked there regularly would donate eight hours a Saturday. We had one instructor per Saturday, and this happened to be my particular Saturday when I met the Arvizos.
Q. Who did you believe was responsible for deciding who is impoverished and who needs help at The Laugh Factory.
A. The decision was Jamie Masada's. It was his club. It was his program. And I -- I'm assuming that -- well, I shouldn't assume. But I would gather that he worked in conjunction with social service agencies to maybe get these children funneled there. It seemed like there were people from that, from that realm there as well. I'm not certain about that. I'm assuming that.
Q. Do you know whether or not the Arvizos approached Jamie Masada, or Jamie Masada approached the Arvizos for purposes of that summer camp.
A. I have no knowledge of that.
Q. Okay. Now, before Gavin became ill, did you -- were you aware of any efforts at The Laugh Factory to raise money for the Arvizos.
A. No.

Q. Okay. Were you aware of any other efforts
anywhere else to raise money for the Arvizos.
A. No.
Q. Okay. And who told you Gavin was ill.
A. I don't remember precisely who it was. It
may have been my friend Louise Palanker, who was
sort of my liaison with The Laugh Factory on a
ongoing basis. It may have been Jamie Masada.
Just -- it became knowledge among the comedians down
there.
Q. And was it your understanding that Louise
Palanker was donating money to the Arvizos.
A. Yes.
Q. Did you ever learn how much.
A. Yes.
MR. ZONEN: I'm going to object as hearsay,
unless he was personally present.
THE COURT: As to the question and the answer
that were given, the objection is overruled.
MR. MESEREAU: Okay.
Q. Did you ever personally see Louise Palanker
write out checks to the Arvizos.
A. No.
Q. Did she ever tell you how much she had given
the Arvizos.
A. Yes.
Q. How much was that.
MR. ZONEN: I'll object as hearsay. 2487

THE COURT: Sustained.
Q. BY MR. MESEREAU: And was Louise Palanker encouraging you to give money to the Arvizos.
A. No.
Q. Do you have any knowledge of Chris Tucker giving anything to the Arvizos.
A. Not firsthand knowledge, but it was legend that he had been extremely generous with shoes and cash and those things. But I'm not a friend of Chris's. This was just sort of legend around The Laugh Factory at the time, he had been very generous with them.
Q. Now, was Chris Tucker a regular at The Laugh Factory, as far as you know.
A. Yes. When he was not doing movies, he would appear there periodically.
Q. Would you see him often.
A. No.
Q. Now, at the point in time where you met the Arvizos before Gavin became ill, how often would you see them.
A. Never. As a matter of fact, from the time we made that donation -- not the "donation," the Christmas gifts, until the time when we were made aware that he was ill. I hadn't seen them, however long a period of time that was.
Q. And at the fund-raiser, you were present, right. 2488

A. Yes.
Q. And was that on a weekend.
A. No, it was a weekday.
Q. Okay. Was it at night.
A. Yes.
Q. And you saw David Arvizo and Gavin Arvizo there, correct.
A. Yes.
Q. And did you see any other Arvizo family members, to your knowledge.
A. I think one or both of the children were there. But I just can't remember. I was in and out very quickly.
Q. And was this fund-raiser advertised; do you know.
A. Yes.
Q. And where was the advertising taking place.
A. I was the advertisement for at least a portion of it. I mentioned it on our news program, that we were doing this for this family, and -- which I'm allowed to do. And that was my only experience with any advertising concerning this event.
Q. Do you know if any other celebrity was engaged in advertising for this fund-raiser.
A. No, I don't.
Q. Okay. Did you think you were the only one at that point. 2489

A. I had no opinion about that. I was just sort of reacting to what I could do, and I really didn't know. It seemed very fast. The idea was borne and a couple of days later we made the announcement, and I wasn't paying that much attention to the other aspects of it.
Q. Now, The Laugh Factory is on Sunset, not far from Fairfax, correct.
A. Correct.
Q. And The Laugh Factory has signs out front, doesn't it.
A. Yes.
Q. And The Laugh Factory will typically advertise what's going on that evening on those signs, right.
A. Yes.
Q. Do you recall whether or not The Laugh Factory had a big advertisement about this fund-raiser for the Arvizos.
A. I couldn't answer that. I'm sorry.
Q. But typically that sign does change almost on a daily basis, doesn't it.
A. Yes.
Q. And because there seemed to be events at that Laugh Factory most evenings, right.
A. Right.
Q. And how long have you known Jamie Masada.
A. Ten years. 2490

Q. Was it your belief that he was really in charge of putting this whole fund-raiser together.
A. Yes.
Q. And when you got there for the fund-raiser, was he there.
MR. ZONEN: “He” being Masada.
MR. MESEREAU: Yes.
THE WITNESS: To my recollection, yes.
Q. BY MR. MESEREAU: Did you see other celebrities at the fund-raiser.
A. Chris Tucker.
Q. Anyone else.
A. No, because, again, I was sort of threading a very small needle to come and make my appearance and go back to work to do the eleven o’clock news, so I didn’t stay to see who else was there. But Chris was there, because I remember him being engaged with Gavin.
Q. Now, was the fund-raiser inside The Laugh Factory.
A. Yes.
Q. And as you walked into The Laugh Factory, did you notice any way money was being contributed.
A. As I mentioned before, as you walked in, they had a table set up to the right, adjacent to what is the normal box office. And I remember David Arvizo being -- either sitting or standing in back of this table. There were several people seated. 2491

They were selling tickets, and people could make donations over and above if they chose to.
I didn't pay any attention to the transactions that were going there. I was just sort of walking through this foyer into the main club.
Q. And when you walked into The Laugh Factory, did you see Gavin anywhere.
A. Yes.
Q. Where did you see Gavin.
A. There's a balcony area upstairs where comedians waiting to go on can linger, and I was up there with Louise and Gavin and his father and Chris Tucker. Sort of all milling around. We weren't in one group. But we were all in that area.
Q. To your knowledge, were people being introduced to Gavin.
A. Yes.
Q. And tell the jury how that happened, based on what you saw. I mean, would people be led upstairs to see Gavin.
A. Not necessarily. It was sort of very unofficial and informal. When the people would drift in and out of that little room, people would come up and introduce themselves. They knew who he was. And I really can't delineate who -- between who he knew and who he didn't know, to be honest with you. I wasn't paying that close attention.
Q. Were there photographs of Gavin at the 2492

fund-raiser.
A. I think so, yes.
Q. And where did you first see a photograph of him.
A. I can’t recall.
Q. Okay. Do you recall Kobe Bryant being at that fund-raiser.
A. No.
Q. Did you ever see --
A. If he was there -- again, I was only there at the beginning of the evening. He may have later. But I didn’t see him.
Q. Approximately how many people did you see at the fund-raiser.
A. I saw about two-thirds of a roomful of people, which was my point in the evening at the beginning, whatever that turns out, 100, 150 people.
Q. Do you know if any requests were made for cash at that fund-raiser by anybody.
A. I have no recollection of that.
Q. Do you know if people were typically paying by check. Did you see this.
A. No, I didn’t pay any attention to the money transactions at all.
Q. Do you know if Jamie Masada was getting any portion of the money that was raised.
A. I have no idea.
Q. Did you ever discuss that with him. 2493

A. No.
Q. And I think you said that you have no idea how much was raised, correct.
A. No. The conversation after it was over was, a couple of thousand dollars. We did pretty well. It was a couple of thousand dollars. It was really just to raise awareness about Gavin's condition. It wasn't a dollar amount that we were heading for.
Q. Did the fund-raiser last a couple of hours.
A. Typically those events do. 8:00 to 10:00, 8:00 to 10:30.
Q. How did you learn a couple thousand dollars was raised.
A. Just in conversation afterward. "How did we do." Well, a couple thousand dollars. It wasn't bad. It wasn't a lot of money.
It was very unofficial and just a matter-of-fact conversation about it.
Q. And are there often fund-raisers at The Laugh Factory --
A. Yes.
Q. -- that you're involved in.
A. Yes.
Q. Was this any different than others you've seen.
A. No. Jamie is very good about doing various things for the underprivileged or homeless during the holiday, feeding groups of people. He's great 2494

about that. There's things like that happening all the time down there.
Q. Do you have any knowledge how the Arvizos arrived for that fund-raiser.
A. No.
Q. Or who drove them or what car they used.
A. No.
Q. Okay. Did you ever see the Arvizos after that fund-raiser.
A. Well, let me see. I can't remember if -- no, I think that was after Gavin was out of the hospital, after it went into remission the first time, and then I didn't visit with him. I wasn't -- I wasn't connected to the family much for his second visits when it got really bad again, so, no, I didn't.
Q. You did visit the hospital a number of times to see Gavin, right.
A. Yes.
Q. And you did, on one of your visits, see a huge gift package from Michael Jackson, right.
A. Yes, that was my final visit.
Q. Please describe what that basket looked like, if you can.
A. It looked like a huge box that had a number of gifts in it. I didn't look really closely at it. But I remember Gavin beaming that it was a gift from Michael. I said, "Wow, that's phenomenal." 2495

Q. So Gavin told you it came from Michael Jackson.
A. Yes.
Q. Did you ever discuss Michael Jackson's gift basket with any other member of the family.
A. No.
Q. You saw that gift basket obviously before your family made a trip to Soto Street to what was described as the Arvizo residence, right.
A. No, the Christmas gift-giving from me was before Gavin even got sick.
Q. Okay.
A. That was my second encounter with him. That was the Christmas after I had met them at comedy camp. Gavin got sick after that point.
Q. Now, was it your understanding when you visited Soto Street before Gavin was ill that you were trying to contribute to an impoverished family.
A. Right.
Q. And at that point in time, how did you determine they were impoverished.
A. Well, they had to be impoverished to be in this comedy camp.
Q. Was that your only criterion.
A. That was my only criterion. And then after I met the children. And I remember having a conversation during the day when I was instructing that the children had to take three or four 2496

different bus routes to get to the comedy camp that day with their mom.
And so it just touched my heart, so we wanted to do something. I mean, I didn't investigate whether they were truly impoverished or not. I just had a good feeling about them. I thought they were wonderful children and wanted to do this for my kids, and so that was it.
Q. When you first met the Arvizos, you met Janet, correct.
A. Yes.
Q. And where did you meet Janet.
A. She came to pick them up at the end of this comedy class.
Q. Okay. So that was at The Laugh Factory.
A. Yes.
Q. How many times have you seen Janet at The Laugh Factory, if you know.
A. That was the only time I saw her at The Laugh Factory.
Q. Okay. Okay. And typically would you see the father with the children at The Laugh Factory, when you saw them.
A. I only saw the family gathered once at The Laugh Factory, and that was the fund-raiser. And that night David and Gavin were there, and either one or both of the siblings. I can't remember which. 2497

Q. And I think you described this, but I'm not too sure of the details. When you first went to the Soto address --
A. Yes.
Q. -- with your children --
A. Yes.
Q. -- before you ever heard Gavin was ill --
A. Right.
Q. -- were you there to contribute.
A. I was there to give them these gifts that we had bought to try to make their Christmas. That was it.
Q. Did someone tell you they can't afford gifts for Christmas.
A. No.
Q. You just assumed that because they were in that summer program.
A. Yes.
Q. Okay. Can I ask you what you brought them.
A. We brought, I would say, $300 to $350 worth of gifts. We brought an Nintendo game, and some DVDs and some other games. All from Best Buy. I can't remember precisely what it was.
Q. When you say "we," is that you and Louise Palanker.
A. Louise Palanker, right.
Q. Did anyone else provide gifts, to your knowledge. 2498

A. Not on this occasion.
Q. Did you ever give them any gifts after that.
A. No.
Q. Okay. So between -- the first time you gave any of the Arvizos was the family visit, and you did nothing by way of fund-raising until the fund-raiser at The Laugh Factory.
A. Exactly.
Q. Okay. And how much time elapsed in between, if you know.
A. I can't be sure. It seems like, as I mentioned before, six months to a year. It just seems like it. It's fuzzy.
Q. Mr. Coleman, do you know who asked you to advertise the fund-raiser on the air.
A. Nobody asked me to do it. I've done it for previous events like that. And I volunteered it immediately upon learning what they wanted to do. Nobody had to ask me for it.
Q. Okay. And after your family visited the Soto address, did you maintain constant contact with the Arvizos.
A. No. They -- they would write cards of thank you, and call me at work and say they appreciated it, but they -- contact sort of dropped off a little bit after that. We all went our separate ways.
Q. Okay. Would you see them from time to time at The Laugh Factory. 2499

A. No.
Q. Okay. Was it your understanding they kept involved with Mr. Masada at The Laugh Factory.
A. Yes.
Q. And what was that understanding based on.
A. I have no specific understanding about it. I know that he's sort of -- considers himself a mentor to many of those children, and went out of his way to maintain a contact with them, sort of unofficially.
Q. And when did you last talk to Janet Arvizo.
A. The last time I spoke to her was the last day I went to visit Gavin in the hospital, when she had walked in late. And that was my first time I had seen her visit her son in the hospital. And that was it.
Q. Now, you say you often saw David there and not Janet. And how many times did you visit Gavin at the hospital.
A. I'm saying between three and five. I can't be more specific, I'm sorry. But every time I was there, David was there. And I'm sure we had discussed the fact that he was not working and he was staying overnight in the bed adjacent to his son.
Q. What was your understanding that Janet was working based upon. Was it just supposition.
A. I can't name anything specific, but I think 2500

I might have discussed it with my friend Louise that, “Wow, she’s having to work for both of them during this period of time.”
I -- it’s just a feeling I had. I didn’t have any specific information about it. If I’m not mistaken, she was working -- if my memory serves me right, she was working as a waitress at the time.
Q. Do you recall receiving any cards from the Arvizos.
A. I think I did. I think I received a thank you note after the Christmas gifts were given.
Q. Do you recall what kind of words were on that thank you note.
A. No. Nothing dramatic. Just --
Q. Okay.
MR. MESEREAU: No further questions, Your Honor.
THE COURT: Counsel.

REDIRECT EXAMINATION
BY MR. ZONEN:
Q. Mr. Coleman, the thank you note that you received, was there anything inappropriate written on it.
A. No.
Q. Was there anything that caused you to sit back and be concerned.
A. No. 2501

Q. All right. When you went out to the house in East Los Angeles -- and I say “house.” It was actually a studio apartment; is that right.
A. Right.
Q. Was there anything that you saw in this apartment that caused you to question whether or not they really were a family in need.
A. No.
Q. All right. And you said that the room was divided up. Explain how it was divided up for us.
A. It seemed like they partitioned off a portion of it with a sheet. A sheet had been hung. I don’t know if it was to separate children’s living areas. I didn’t want to take a tour of it. I didn’t want to make them uncomfortable with showing me what they did or didn’t have in their life.
So it seemed to me they had various areas partitioned off with a sheet hanging with a cord across to sort of divide a room that wasn’t otherwise divided. That was my initial impression.
Q. All right. And were there beds or anything that looked like beds that you were able to see from your vantage point.
A. I don’t remember.
Q. All right. The fund-raiser, as Mr. Mesereau refers to, the event that took place at The Laugh Factory, was that the only event that you were aware of that was done for Gavin. 2502

A. Yes, sir.
Q. Was that a fund-raiser or was it for blood donations.
A. It was both. It was both. It was to bring people down to The Laugh Factory, and to raise awareness about him needing a specific blood type.
Q. They weren't taking blood at that time.
A. No, it was just to -- if people were interested, they could contact The Laugh Factory or -- I wasn't sure if we had asked them to contact the specific number at Kaiser or what. But it was a very unofficial -- just sort of a consciousness raising announcement more than a specific thing.
Q. Mr. Coleman, I have one last question. Are we expecting rain this weekend.
A. Well, you know, I should be back there trying to figure that out right now.
Q. Thank you. I have no further questions.
MR. MESEREAU: No further questions, Your Honor.
THE COURT: All right. Thank you. You may step down.
Call your next witness.
MR. AUCHINCLOSS: Our next witness is Kiki Solveig Fournier.
THE COURT: Come to the front of the courtroom, please.
When you get to the witness stand, please 2503

remain standing. Face the clerk and raise your right hand.

KIKI FOURNIER
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: My name is Kiki Fournier. It's K-i-k-i F-o-u-r-n-i-e-r.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. AUCHINCLOSS:
Q. Good morning, Ms. Fournier.
A. Good morning.
Q. Have you in the past worked for Michael Jackson at Neverland Ranch.
A. Yes.
Q. What did you do. How were you employed at Neverland Ranch.
A. I was a housekeeper.
Q. Can you tell me the time frame that you worked for Mr. Jackson.
A. I started in September of '91, and worked off and on till September 28th, 2003.
Q. Okay. When you say -- yeah, you have to 2504

speak directly into that microphone so we can hear you.
A. Okay.
Q. When you say “off and on,” can you give me a little more specific description of what that means.
A. Well, I worked a couple years, and then I would take some time off. I had a child back in 1993 also, so -- and then I would take a couple of years off, and then I would go back for a couple of years.
Q. And you said you left ultimately in September of 2003.
A. Yes.
Q. Did you leave of your own accord.
A. Yes.
Q. At any time have you ever been terminated as an employee from Neverland Ranch.
A. No.
Q. Please describe your duties as a housekeeper at Neverland.
A. Cleaning the main residence, cleaning the guest quarters, cleaning the theater.
Q. Would you have interaction with guests of the ranch.
A. Yes.
Q. And would you do anything other than just cleaning.
A. Serve food sometimes. 2505

Q. Did you have a particular shift that you worked.
A. Well, it varied. It depended on who wanted to work during the day -- excuse me -- and who wanted to work at night. So I would sometimes more frequently work the nights.
Q. And describe for me what time frame we're talking about. What does the night shift consist of.
A. Basically it was, you know, catching up on laundry and, you know, taking care of the guests, serving them dinner. Getting them anything that they needed.
Q. But as far as the time frame, from what hours. What would your hours be for the night shift.
A. It depended. It just depended on if there was guests or if anybody was at the house.
Q. So you would finish up work at a different hour depending on the night.
A. Depending on what the demands were during the day.
Q. What time would you normally report for work as a night-shift housekeeper.
A. It all varied, but usually we tried to make it so that who came in later would work later.
Q. Did you ask not to have to testify in this case. 2506

A. Yes.
Q. Okay. And why is that.
A. I don't want --
MR. MESEREAU: Objection; relevance.
MR. AUCHINCLOSS: Goes to her credibility,
Your Honor.
THE COURT: Overruled.
You may answer.
THE WITNESS: I can answer.
Q. BY MR. AUCHINCLOSS: Yes, you can answer.
A. I don't want to have anything to do with
this. I just don't like being the center of
attention either.
Q. All right. As an employee of Neverland, who
was in charge at Neverland Ranch.
A. Mr. Jackson.
Q. Were there certain administrators who were
in charge of various functions, various functions
concerning the operations at the ranch.
A. Yes.
Q. Who were the main administrators.
A. Joe Marcus was the ranch manager when I was
there. And Jesus Salas was the house manager. And
Violet Silva is the security, head of security.
Q. Okay. Were those three managers working
during the time period of 2002 to 2003.
A. Yes.
Q. And did they have those assignments as 2507

managers during that period of time.
A. Yes.
Q. What was -- do you know what Joe Marcus's job was as ranch manager.
A. I -- oversee all the departments.
Q. Okay. So would he oversee Violet Silva.
A. Yes.
Q. And Jesus Salas, who was the house manager.
A. Yes.
Q. Did you observe his relationship with the defendant, Mr. Jackson.
A. Yes.
Q. Could you characterize that for me, please.
MR. MESEREAU: Objection; vague.
MR. AUCHINCLOSS: I can be more specific.
THE COURT: All right.
Q. BY MR. AUCHINCLOSS: You said you observed the relationship with Mr. Jackson. How often would you see them interacting in the course of your duties as a housekeeper.
A. Well, not that often. I wasn't familiar when they were on the phone or when they would meet in person, but I do know that they would -- they would meet and they would speak to each other.
Q. Okay. And were you present during any of those conversations when they were interacting.
A. I probably was, but I don't really remember.
Q. Okay. Do you know if Mr. Jackson would give 2508

Mr. Marcus directives.
A. Yes.
Q. Okay. Did you yourself have interaction with Mr. Jackson.
A. Yes.
Q. How often.
A. It depended on when he was there.
Q. Okay. How often -- can you characterize how often he was there.
A. As a percentagewise.
Q. Yeah. And let's focus on the time period between 2002 through the time that you left in 2003.
A. He was there a lot in the beginning of 2003.
Q. Okay. So my question was -- where we started here was, did you interact with Mr. Jackson personally.
A. Yes.
Q. In what fashion. How would that come about.
A. I would serve him his foods. I would clean his house. I would answer the phones.
Q. And what was the level of service that was provided to Mr. Jackson at Neverland Ranch by his employees.
A. We always tried to provide him with the best of service.
Q. If Mr. Jackson wanted something a certain way, would there be any hesitation to tell you or let you know exactly what he wanted. 2509

MR. MESEREAU: Objection; leading.
THE COURT: Overruled.
You may answer. Do you want the question read back.
THE WITNESS: Yes, please.
THE COURT: Okay.
(Record read.)
THE WITNESS: He wouldn't always tell us directly. He might tell Joe or he might tell Jesus, and sometimes he would tell us.
Q. BY MR. AUCHINCLOSS: But it would be communicated to you.
A. Yes.
Q. Have you ever seen the defendant, Mr. Jackson, fire anybody, been present.
MR. MESEREAU: Objection. Relevance; 352.
MR. AUCHINCLOSS: Your Honor, it's offered to show the defendant's level of influence over his own employees.
THE COURT: All right. I'll limit it to a "yes" or "no" answer.
MR. AUCHINCLOSS: All right.
Q. Did you ever see him fire any of his employees.
A. I never saw him personally fire somebody.
Q. Okay. Were his employees generally aware that Mr. Jackson could fire them.
MR. MESEREAU: Objection. Hearsay; 2510

speculation; vague; relevance; no foundation.
MR. AUCHINCLOSS: Mr. Jackson was the
employer of these people.
THE COURT: Well, you may have a couple more
reasons.
(Laughter.)
THE COURT: I'll sustain the hearsay
objection.
Q. BY MR. AUCHINCLOSS: Were you aware that you
could be terminated at any given moment.
A. Yes.
Q. Were you aware of anybody that had been
fired -- was anybody fired at Neverland while you
were there.
MR. MESEREAU: Objection. Relevance; 352;
foundation.
THE COURT: Overruled.
You may answer. "Yes" or "no."
THE WITNESS: Sorry, what was the question
again.
Q. BY MR. AUCHINCLOSS: Were you aware of
anybody who ever got fired at Neverland.
A. Yes.
Q. Do you know who fired them. Who was the
person responsible for their termination.
MR. MESEREAU: Objection; foundation.
THE COURT: Just answer that question "yes"
or "no." 2511

Which answers your objection.
THE WITNESS: Yes, I was aware that he had fired people, Mr. Jackson. And --
THE COURT: Just a moment. I just wanted a "yes" or "no" answer to that.
THE WITNESS: I'm sorry.
THE COURT: So the answer is "Yes." Next question.
Q. BY MR. AUCHINCLOSS: When you were around Mr. Jackson in his presence, can you characterize his level of attention to the details of the service that -- the services that were provided to him.
MR. MESEREAU: Objection; vague.
MR. AUCHINCLOSS: I think she's qualified to answer that question.
THE COURT: I'm going to allow you to answer. Would you like it reread.
THE WITNESS: Yes, please.
THE COURT: Okay.
(Record read.)
THE WITNESS: Mr. Jackson is a very detail-oriented person, so he did like to have his service the way he wanted it.
Q. BY MR. AUCHINCLOSS: Did you ever observe Mr. Jackson to have overnight visitors at the ranch.
A. Yes.
Q. How often would that be provided. How often would he have overnight guests. 2512

MR. MESEREAU: Objection. Vague and foundation.
MR. AUCHINCLOSS: I'll be more specific.
Q. During the period of 2002 to 2003.
A. Yes. He had overnight guests.
Q. How often would he have overnight guests during that time frame.
A. I can't say exactly dates, but there was a lot of guests during that time. There was people there.
Q. Would you provide services to those guests.
A. Yes.
Q. And can you characterize the level of service that you provided the guests of Mr. Jackson.
A. Again, we always tried to provide the best service, so we always tried to be detail oriented in doing our work.
Q. Was Frank Tyson a guest at Neverland Ranch during that time frame.
A. I believe so, yes.
Q. Who is Frank -- is Frank Tyson -- well, let me back up.
Were you around Mr. Jackson when he was in the presence of Mr. Tyson.
A. Yes.
Q. And when was the first time that you're -- you became aware that Mr. Tyson was a guest at Neverland Ranch. 2513

A. That would have been when he was rather young. Sometime around, I would say, 1991. I would guess, but I can't say for 100 percent sure. But he was still young.
Q. And can you characterize the nature of the relationship between Mr. Tyson and Mr. Jackson, based upon your personal observations.
MR. MESEREAU: Objection; vague.
THE COURT: Overruled.
You may answer.
THE WITNESS: They were close friends, it would appear.
Q. BY MR. AUCHINCLOSS: Do you know if Mr. Tyson ever worked for Mr. Jackson.
A. Yes, I believe he did.
Q. Do you know what his assignment was, or his title.
A. I remember hearing something about an assistant, or something like that. But I never knew for sure what his title was.
Q. Why do you say that they had a close relationship. What do you base that upon.
A. They were just together when they were at the ranch and they would talk a lot. And there was a lot of communication between them it seemed.
Q. Okay. And how often was Mr. Tyson at the ranch, if you could characterize, during that period of -- let's go back ten years to when you first 2514

started.
MR. MESEREAU: Objection; vague.
THE COURT: Overruled.
Go ahead. You may answer.
THE WITNESS: How often was he there.
Q. BY MR. AUCHINCLOSS: Yeah. You worked for
Mr. Jackson for over ten years, correct.
A. Off and on, yes.
Q. And you just told us that you were aware of
Mr. Tyson visiting the ranch sometime around the
beginning of your employment there, correct.
A. Yes.
Q. So over that time span, can you give us an
idea of how much time these two people would spend
together at Neverland Ranch that you saw.
MR. MESEREAU: Objection.
THE COURT: Just --
MR. MESEREAU: I jumped the gun. Excuse me,
Your Honor. Objection; foundation.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Did you see Frank Tyson
and Michael Jackson together at Neverland Ranch.
A. Yes.
Q. Over that ten-year period, which you
previously stated that Mr. Tyson was -- began and
was a guest of the ranch when you left, how often
did you see them together.
A. When Frank was at the ranch, they would be 2515

1 together often.
2 Q. And how often was he a visitor at the ranch.
3 A. He could not be there for six months and
4 then he could show up for a month, or -- you know,
5 as an example. And -- or he could not be there for
6 weeks, and then just come for a couple of days,
7 and --
8 Q. Okay. Now, in the period of 2000 -- early
9 2003, did Mr. Tyson visit the ranch.
10 A. Yes, I believe he did.
11 Q. Do you know if that was one of these
12 month-long periods, or a couple of day periods, or
13 something in between.
14 A. I think he stayed for a while.
15 THE COURT: Counsel, we'll take our break.
16 MR. AUCHINCLOSS: All right. Thank you.
17 (Recess taken.)
18 --o0o--
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20
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28 2516

REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 2459 through 2516 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on March 17, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, March 17, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, MARCH 17, 2005

8:40 A.M.

(PAGES 2518 THROUGH 2708)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 2518

APPEARANCES OF COUNSEL:

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I N D E X

Note: Mr. Sneddon is listed as “SN” on index.
Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
Mr. Sanger is listed as “SA” on index. Mr. Oxman is listed as “O” on index.

PLAINTIFF’S WITNESSES DIRECT CROSS REDIRECT RECROSS

FOURNIER, Kiki 2552-M 2632-A
WOLFF, Ruby 2647-SN 2650-M
O’GRADY, Shawn 2661-SN 2665-M
ELLIS, Jeffery 2666-SN 2670-M
ABEL, Conn 2672-SN 2695-M

1 E X H I B I T S
2 FOR IN
3 PLAINTIFF'S NO. DESCRIPTION I.D. EVID.
4 105 Photograph 2683 2684
5 106 Photograph 2683 2684
6 581 Bag containing books 2676 2678
7 582 Brown bag containing book 2676 2680
8 583 Book 2676 2681
9 584 Plastic bag containing brown
10 bag 2682
11 585 Clear plastic bag containing white binder 2682
12 586 Clear plastic bag containing
13 brown bag 2682
14 587 Clear plastic bag containing white binder 2682
15 588 Brown bag containing book 2662 2664
16 589 Brown bag containing book 2668 2669
17 710 Photograph of front cover of
18 No. 589 2668 2669
19 711 Photograph of front cover of No. 588 2663 2664
20 712 Brown bag containing an
21 envelope and card 2663 2664
22 713 Photograph 2682 2688
23 714 Brown evidence bag 2682
24 715 Photograph 2682 2688
25 716 Brown evidence bag 2682
26 717 Large plastic case 2690 2694
27
28 2521

THE COURT: Go ahead.
MR. AUCHINCLOSS: Thank you.
Q. Miss Fournier, do you know an individual by the name of Vinnie Amen.
BAILIFF CORTEZ: Get closer.
Q. BY MR. AUCHINCLOSS: Vinnie Amen, do you know that name.
A. Yes.
Q. How do you know that name.
A. He worked out at the ranch with Frank.
Q. All right. Do you know what time period that was.
A. It was during the beginning of 2003.
Q. You say he worked with Frank. Do you mean Frank Tyson.
A. Yes.
Q. And do you know -- what do you mean by “worked with Frank Tyson”.
A. I don’t know what his title was. But I know that he worked with Frank.
Q. And was Frank working at that time.
A. Yes, I believe so.
Q. And what was Frank doing at that time, as far as you know.
A. What Frank did.
Q. I mean, who was Frank working for.
A. Mr. Jackson.
Q. Do you know an individual by the name of 2522

Dieter Weizner.
A. Yes.
Q. How do you know that name.
A. He also worked for Mr. Jackson.
Q. Did he ever visit the ranch.
A. Yes.
Q. During that same time frame, end of 2002, the beginning of 2003, did Mr. Weizner visit there, the ranch.
A. I believe so, yes.
Q. Do you know what his title was or what he did for Mr. Jackson.
A. I think he was a business associate of some kind.
Q. Do you know how often -- can you give me an example of the frequency of visits Mr. Weizner would have in relationship to that time frame period, and I want to focus -- in these next few questions, I'm going to focus on the time frame between the end of 2002 and the first three months, say, March, April of 2003.
A. Okay.
Q. During that time frame, can you give me an idea of the frequency of visits Mr. Weizner would pay upon Mr. Jackson at the ranch.
A. If my memory serves me correct, I would say that he was there quite a bit.
Q. All right. Ronald Konitzer. Do you know 2523

that name.
A. Yes.
Q. And how do you know that name.
A. He was also, as far as I knew, a business associate of Mr. Jackson's.
Q. During that same time frame, frequency of visits at the ranch.
A. Not as much as Dieter.
Q. Okay. And Frederic -- well, Marc Schaffel, Schaffel --
A. Yes.
Q. -- do you know that name.
A. Yes.
Q. And how do you know that name.
A. He was a guest at the ranch --
MR. MESEREAU: Objection; foundation.
THE COURT: Overruled.
You may answer.
Q. BY MR. AUCHINCLOSS: You may answer.
A. He was a guest at the ranch. And he was also -- I remember working on some sort of a birthday party, or something like that, for Mr. Jackson.
Q. He was working for Mr. Jackson in some capacity for a birthday party.
A. Yeah, there was some big party at the ranch around Mr. Jackson's birthday in August. And --
Q. August of which year. 2524

A. 2003. So I know that he worked for him
then, too, as far as I knew.
Q. Do you know what his title was or what his
duties were with regards to this party.
MR. MESEREAU: Objection. Vague, and
foundation, and assumes facts not in evidence.
THE COURT: The question should be answered
only “yes” or “no.” I’ll have it reread to you.
(Record read.)
THE COURT: “Yes” or “no.”
THE WITNESS: I think so. So, yes.
THE COURT: She said, “I think so.” That’s
acceptable, too.
THE WITNESS: Sorry.
THE COURT: But the reason I sustained that
is that that’s part of the foundation. I’m really
sustaining a foundation objection ultimately.
MR. AUCHINCLOSS: All right. Very well.
Thank you.
Q. You said, “Yes.” What do you base that
upon, that answer upon.
A. Because I know that he was coordinating
somehow on handing out checks for this birthday
party that had gone on.
Q. Were you a witness to that.
A. Yes.
Q. And were you a witness to Mr. Schaffel
giving any orders or instructions concerning this 2525

particular party.
MR. MESEREAU: Objection; leading.
MR. AUCHINCLOSS: Foundational.
THE COURT: Overruled.
You may answer.
THE WITNESS: Yes.
Q. BY MR. AUCHINCLOSS: All right. And did --
were you informed -- did you ever have any
interaction with Mr. Schaffel --
A. Yes.
Q. -- concerning this party.
A. Well, not concerning the party. I mean, I
was there with him. He gave me a ride on a golf
cart one time when he was handing out checks.
Actually, it was right after the party. The day
after, I believe it was.
Q. All right. Were you there when this party
occurred.
A. Yes.
Q. Can you tell me about it, the type -- what
type of party was it.
A. Um --
MR. MESEREAU: Objection; relevance.
THE COURT: Overruled.
THE WITNESS: There was a deejay there. And
they had set up -- there was tents on the property,
too, with artwork in them. And it was just a big
birthday party. I mean, there was also cake there 2526

for Mr. Jackson. And he had some guests there, and --
Q. BY MR. AUCHINCLOSS: Do you know what the artwork had to do with the party.
A. I'm not exactly sure.
Q. Do you know if -- if this party had any -- if it cost money to attend this party. Do you know that. Yes or no.
A. Yes, I think it did.
Q. And can you characterize the party in terms of its scale. Was it big. Maybe why don't we begin with about how many people attended this party, if you can estimate.
A. 800, a thousand. I don't know.
Q. All right.
A. I can't say for sure.
Q. Would children be among the overnight guests at Neverland while you were working there.
A. Yes.
Q. How often.
MR. MESEREAU: Objection; foundation.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: And based upon your own personal experience, in other words, what you observed, can you characterize how often children would be overnight guests at Neverland during your employment there.
A. Let me just answer by explaining that there 2527

would be times when there would be nobody there, and then when Mr. Jackson would come home he would have guests with him, so they could stay a couple of days, weeks, or maybe even a month.
Q. Okay. Let me refine that a little bit. During the time that you worked at Neverland and during the time that Mr. Jackson was on the property, how often would children be overnight guests at Neverland.
MR. MESEREAU: Objection. Vague; assumes facts not in evidence.
THE COURT: Sustained.
MR. AUCHINCLOSS: Under both grounds or --
THE COURT: The last ground.
MR. AUCHINCLOSS: Okay.
THE COURT: Assumes facts not in evidence.
Q. BY MR. AUCHINCLOSS: Were children ever overnight guests at Neverland.
A. Yes.
Q. All right. I'm going to repeat my last question. How often were they guests at Neverland when Mr. Jackson was on the property.
MR. MESEREAU: Objection; foundation.
THE COURT: Overruled.
Q. BY MR. AUCHINCLOSS: You may answer.
A. I would say quite a bit.
Q. Would the children who were spending the night at Neverland have their parents with them when 2528

they'd visit or spend the night.
MR. MESEREAU: Objection. Vague, and
foundation.
THE COURT: Sustained on foundation.
Q. Were you a witness as to whether or not
these children came with their parents or were
without their parents.
A. Sometimes they came with their parents
and --
Q. That's a yes-or-no question first. We have
to do this in order.
A. Yes.
Q. You were a witness, true.
A. Yes.
Q. Do you have personal knowledge as to whether
or not the children's parents were with them when
they visited Neverland.
MR. MESEREAU: Vague as to time.
Q. BY MR. AUCHINCLOSS: During your period of
employment.
A. Yes.
Q. You do, okay.
MR. MESEREAU: Same objection, Your Honor.
THE COURT: Overruled.
Q. BY MR. AUCHINCLOSS: And going back to my
last question, can you tell us how often children
would be overnight guests at Neverland without their
parents. 2529

MR. MESEREAU: Objection. Foundation and vague.
THE COURT: Overruled.
You may answer.
THE WITNESS: They were there quite a bit without their parents.
Q. BY MR. AUCHINCLOSS: How are children treated at Neverland.
MR. MESEREAU: Objection; vague.
THE COURT: Overruled.
THE WITNESS: Like any child wants to be treated.
Q. BY MR. AUCHINCLOSS: And what do you mean by that.
A. Well, like you could watch movies. You could watch videos, play video games. Eat whatever you want to eat. Candy. Stay up as late as you want. Ride amusement rides, so --
Q. Okay. Are there rules.
A. Not really.
Q. Is there discipline.
MR. MESEREAU: Objection. Vague, and foundation.
Q. BY MR. AUCHINCLOSS: Are the children disciplined, is the question.
MR. MESEREAU: Same objection.
THE COURT: Overruled.
You may answer. 2530

THE WITNESS: Well, I mean, there's the employees who would frequently interfere with their fun sometimes and tell them it was enough. But, I mean, as far as parents go, no.
Q. BY MR. AUCHINCLOSS: Would Mr. Jackson, based upon your personal experience, discipline the children.
A. Sometimes, yes.
Q. Okay. Tell me about it.
A. Like if they got too rowdy at the dinner table, and sometimes I want to say practically have a food fight or something, but he would tell them to behave, kind of stuff like that, and tell them -- you know, if they would get into candy-throwing fights in the theater, and, you know, he was upset about that, and he would, you know, tell them to stop it, or, you know.
Q. Did he himself ever engage in that type of conduct.
A. I never saw that in the theater with Mr. Jackson.
Q. All right. In terms of the limits that Mr. Jackson would set upon these children --
MR. MESEREAU: Objection. Foundation; vague; relevance.
MR. AUCHINCLOSS: I haven't finished the question.
MR. MESEREAU: Okay. 2531

THE COURT: Overruled.
Q. BY MR. AUCHINCLOSS: All right. The question is, in terms of -- you've talked about that there were times when Mr. Jackson would say "enough."
A. Uh-huh.
Q. Can you characterize, in terms of the whole latitude Mr. Jackson would give these children in terms of their behavior.
MR. MESEREAU: Vague as to time.
Q. BY MR. AUCHINCLOSS: During your period of employment. Do you understand the question.
A. Yes.
Q. Okay. Can you characterize that.
THE COURT: Well, there's -- I'll overrule the objection. But what's happened is you've kind of spread the question out. So would you rephrase it.
MR. AUCHINCLOSS: Yes.
Q. My question is, we've -- you've talked about Mr. Jackson stepping in when he felt that things have gone too far with the children's behavior in terms of discipline, this type of thing.
My question is, can you characterize the type of -- the degree of latitude that he would give children who were guests on the ranch in terms of when he would step in, when discipline, when authority would be provided for these children. 2532

MR. MESEREAU: Objection. Compound and vague.
THE COURT: It's compound. Sustained.
Q. BY MR. AUCHINCLOSS: I'll strike "authority" from the question. So, same question. When would he step in and discipline these children, in terms of scope. How far would he let them go.
MR. MESEREAU: Same objection. Compound --
THE COURT: Overruled.
THE WITNESS: Sometimes they would get pretty rowdy. And he would -- more frequently than not, they would be much more rowdy, you know, and he did let them have, you know, a free hand, so to say, that they could get pretty rambunctious sometimes.
Q. BY MR. AUCHINCLOSS: Would children have extended stay -- would some of these overnight children have extended stays at Neverland.
A. Yes.
Q. And what do you mean by -- or what do you consider to be an extended stay.
A. During the school year, or time when school was on, a couple of weeks.
Q. What are the sleeping arrangements for the children. And I'll be specific. Let's talk about in the years -- let's go back to the year -- the time frame of 2002, 2003.
A. The guests that were there at that time.
Q. Yes. The children guests. 2533

A. They had -- the Arvizo children, they had their own units, but --
Q. I'm speaking generally now. And I will ask you about the Arvizos in just a moment. But generally with the children, what are the sleeping arrangements for the children who spend the night at Neverland.
A. Well, usually they had get assigned someplace to asleep, but a lot of times they would stay with Mr. Jackson.
Q. Okay. Now, as far as the assigning of someplace to sleep, tell me about that. How does that work.
A. Well, typically when the guests came, they would get their own room. And the children would -- you know, it depends on if their parents were there or not, and they would get their room.
Q. So they'd get a room assigned to them.
A. Yes.
Q. Would the children who were assigned to a given room always end up sleeping in that room.
A. No.
Q. What do you base that upon.
A. Well, the beds weren't slept in when we went to go clean the room, so nobody had been there to stay the night, or appeared to be that way.
Q. All right. As far as these extended guests who were children at the ranch, Mr. Jackson's 2534

guests, did you ever notice a behavioral change in these children during the time they were at the ranch.
MR. MESEREAU: Objection. Vague; foundation; leading.
MR. AUCHINCLOSS: This is a foundational question.
THE COURT: Foundation; sustained.
Q. BY MR. AUCHINCLOSS: When you were at the ranch, did you spend time serving the children who were guests there.
A. Yes.
Q. Did you spend time interacting with these children.
A. Yes.
Q. Did you have an opportunity to -- to observe their behavior.
A. Yes.
Q. Did you talk to the children.
A. Yes.
Q. Did you see them playing with Mr. Jackson.
A. Yes.
Q. All right. And based upon everything you observed during those -- under those circumstances, where you were interacting and watching these children, were you able to determine whether or not their behavior changed during that time that they were at the ranch. 2535

MR. MESEREAU: Objection. Vague;
foundation; opinion.
MR. AUCHINCLOSS: It's a proper --
THE COURT: The objection is overruled.
You may answer.
Q. BY MR. AUCHINCLOSS: You may answer the
question.
A. Yes, and some -- their behavior did change.
It seems as if the more free rein they got to do
what -- you know, to play, they became very, very
wild and in some ways destructive.
Q. Was this uncommon.
A. No.
Q. Did you see this behavior change -- you
mentioned Gavin and Star Arvizo.
A. Yes.
Q. Do you know Gavin and Star Arvizo.
A. Yes.
Q. How do you know them.
A. When I was working at Neverland.
Q. Okay. Were they guests of Mr. Jackson.
A. Yes.
Q. Did you observe that behavior change in
Gavin and Star while they were at Neverland.
A. Yes.
Q. Tell me about it.
A. Gavin was always really polite with me, and
it just -- I was surprised when I went to go clean 2536

his room sometimes that he -- he shared with his brother Star, that it was just -- I mean, it was a mess. It was a mess. And just -- for whatever reason, it was a mess.
Q. Okay. And was -- was this something that changed during the time that they were at Neverland.
A. Yes.
Q. In other words, their room, the room that you had to clean up.
A. Yes, because in the beginning it wasn't like that.
Q. Did some of these children return as guests on more than one occasion.
A. Yes.
Q. During your employment -- going back to the big time frame, during your employment at Neverland, did you ever observe Mr. Jackson to form a special -- any especially close relationships with these children.
A. Yes.
Q. Can you characterize whether or not he focused his attention on these children that he formed these relationships with to the exclusion of other children present.
MR. MESEREAU: Objection. Vague; leading; foundation.
THE COURT: Overruled.
You may answer. Do you want the question 2537

read back.
THE WITNESS: Yes, please.
MR. AUCHINCLOSS: I can simplify the question, I think, Your Honor. I'll rephrase it.
Q. Did he pick some kids over other kids to spend his time with and focus his attentions on.
A. Yes.
Q. Do you remember any of their names.
A. Um --
MR. MESEREAU: Objection. Vague as to time.
Q. BY MR. AUCHINCLOSS: Over your ten-year period.
A. Yes, I --
MR. MESEREAU: Relevance; foundation.
THE COURT: Overruled.
You may answer.
THE WITNESS: He had -- some of his buddies were like Brett Barnes. Little Michael.
MR. MESEREAU: I'm going to object based on the Court's ruling on 1108.
MR. AUCHINCLOSS: I can go to sidebar on this, Your Honor. We're not going any further than this.
THE COURT: I'll hold you to that.
MR. AUCHINCLOSS: All right.
Q. Okay. Go ahead.
A. Little Michael. His name was Omar. Frank Cascio. Aldo Cascio. I think Dominick. I get the 2538

1 two confused.
2 Q. Is Dominick a Cascio as well.
3 A. Yes.
4 Q. Is that one of Frank's brothers.
5 A. Yes.
6 Q. Is Aldo one of Frank's brothers.
7 A. Yes.
8 Q. Any other names.
9 A. Like Gavin was another person that he really
10 took in. Macaulay Culkin. I can't really think of
11 anybody else right now.
12 Q. Do you know an individual by the name of
13 Jimmy Safechuck.
14 A. Yes.
15 Q. Was he one of them.
16 A. Yes.
17 Q. How about Jordie Chandler.
18 A. Yes.
19 MR. MESEREAU: Your Honor, I'm going to
20 object. The Court's ruling on 1108.
21 THE COURT: Sustained.
22 MR. MESEREAU: Move to strike.
23 THE COURT: Stricken.
24 Q. BY MR. AUCHINCLOSS: How about a child named
25 Elijah.
26 A. Yes.
27 MR. MESEREAU: I'd like to make a motion,
28 Your Honor. 2539

THE COURT: We'll take it up later.
MR. MESEREAU: Okay.
Q. BY MR. AUCHINCLOSS: And were there any boys from Los Olivos, local boys, who he formed a special bond with.
A. Yes.
Q. All right.
A. Not quite as much as the other children, though. I mean, it just seemed like they weren't as close.
Q. All right. Did these individuals that you've named share anything in common.
MR. MESEREAU: Objection. Vague; foundation.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Did -- these individuals that you named, were they of a similar age.
MR. MESEREAU: Objection. 1108; vague; and leading.
MR. AUCHINCLOSS: I can go through them and ask what the ages of each one were, if you'd like, approximately.
THE COURT: The objection is sustained.
MR. AUCHINCLOSS: Okay. We'll do this serially.
Q. Can you tell me -- during the time that Mr. Jackson had this special relationship with Mr. Jimmy 2540

Safechuck, can you tell me about what Jimmy
Safechuck's age was.
MR. MESEREAU: Leading; compound; violates
the Court's ruling on 1108. I'd like to make a
motion.
THE COURT: Overruled.
MR. MESEREAU: And misstates the evidence.
THE COURT: It's overruled, too. The first
question has to be whether or not she knows the age.
MR. AUCHINCLOSS: Okay.
THE COURT: If that's -- that's the first
question I want you to ask.
MR. AUCHINCLOSS: All right.
THE COURT: And then if she can answer that
"yes," you can ask the next question.
MR. AUCHINCLOSS: Thank you, Your Honor.
Q. Jimmy Safechuck. Do you know or do you
believe you could characterize -- first of all, let
me -- do you know what his age was during the period
of time that he was a close friend of Mr. Jackson.
A. No.
Q. Could you characterize -- approximate his
age based upon his appearance.
A. Ten to 13, 14 years old.
Q. Okay. What about -- same question for Mr.
Robison. Did you know his age.
A. No.
Q. Could you characterize it based upon your 2541

observations.
A. About the same age.
Q. Omar Bhatti, or Omar, the guy -- you said Omar. What about him, did you know his age.
A. I think he was 14 when I left, but I'm not sure. 14 or 15.
Q. Okay. And how long had he known Mr. Jackson or were you aware of their relationship prior to the time that you left.
MR. MESEREAU: Objection; foundation.
MR. AUCHINCLOSS: I can -- I can follow that up. I'll strike that last question, Your Honor.
THE COURT: All right.
Q. BY MR. AUCHINCLOSS: When was the first time that you met Mr. Bhatti. I'm sorry, I'm using -- Mr. Bhatti, Omar, the 14-year-old you knew as "Omar."
A. I think 1998.
Q. Okay. And if -- and he was about 14 in '93 (sic).
A. Uh-huh.
Q. Was that what you're saying.
A. Yes, something -- 14 or 15.
Q. All right. Frank Cascio. I think you said that -- how old -- did you know how old Frank Cascio was when you left in '93 (sic).
A. I think he was 22 or 23.
Q. Okay. And you previously testified you 2542

first met him in 1991, I think; is that correct.
A. Yeah, I think it was ‘91.
Q. Aldo Cascio, can you characterize -- do you know how old he was when you left the ranch in ‘93 (sic).
A. In 2003.
Q. I’m sorry, ‘93. I’m saying “’93.” 2003. That’s what I mean.
A. I think he was 12.
Q. All right. What do you base that upon.
A. You kind of get to know the kids a little bit, and I think he was about that age. Somewhere right around there.
Q. Okay. McCaulay Culkin. Do you know how old he was during the period of time that he was a close friend of Mr. Jackson or formed --
A. No, I really don’t.
Q. Okay. Can you characterize it, based upon your observations.
MR. MESEREAU: Objection. Asked and answered. No foundation.
THE COURT: Overruled.
THE WITNESS: I don’t know. Ten, 12, 13 years old.
Q. BY MR. AUCHINCLOSS: Brett Barnes. Do you know how old he was during the time that he was a close friend --
A. No.

Q. -- of Mr. Jackson.
And same question, follow-up question. Can you characterize his approximate age.
A. About the same age.
Q. 11 to 13.
A. Yeah.
Q. Elijah, do you know how old he was when he had a special or a close friendship with Mr. Jackson.
MR. MESEREAU: Your Honor, I'm going to object to the characterization. Misstates the evidence.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Did -- based upon your observations, did the individual you named as Elijah have a relationship with Mr. Jackson.
A. Yes.
Q. And how would you characterize it.
A. Close friendship.
Q. Okay. And during the time that he -- this individual named Elijah was a close friend, shared a close friendship with Mr. Jackson, do you know how old he was.
A. Well, I think Elijah is also a relative.
Q. Okay. Is he someone who lives locally.
A. Yeah. Not too far from here.
Q. As far as you know.
A. Uh-huh. 2544

Q. And do you know how old he is today.
A. No.
Q. Do you know how old -- so does Elijah continue to visit the ranch.
A. When I left in September he did.
Q. And can you characterize, based upon your observations, of his approximate age.
A. When he started coming there.
Q. No, when you left the ranch.
A. I think he was over 18.
Q. How about when he started there -- when you started there.
A. He was -- he was pretty young, so I would say around eight years old.
Q. He was about eight when you first saw him come to the ranch.
A. Yeah.
Q. And you mentioned some local boys from Los Olivos. We didn't talk about how many of them there were. Do you know -- how many boys are you talking about when you say "local boys from Los Olivos".
A. Four or five.
Q. Were they of different ages or similar ages.
A. I think they were all in the eighth or ninth grade.
Q. Okay.
A. Maybe even the seventh grade. I'm not too sure. 2545

Q. During your time as an employee for Mr. Jackson, did you ever observe him to drink alcohol.
A. Yes.
Q. Did you observe him drinking alcohol during the time period that we've talked about, from 2002 through 2003 when you left.
A. I think so, but I can't say for 100 percent certain. I didn't pay attention.
Q. Okay. Do you know what his alcoholic beverages of choice were.
MR. MESEREAU: Objection. Assumes facts not in evidence; no foundation; leading.
THE COURT: Sustained.
MR. AUCHINCLOSS: I can lay some foundation.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Did you ever observe -- you said you observed him drinking alcohol.
A. Yes.
MR. MESEREAU: Objection. Misstates the evidence, Your Honor.
THE COURT: It depends on the time frame. She didn't say she remembers him drinking during the time frame you gave. So if we're assuming your question's continuing the time frame --
MR. AUCHINCLOSS: Very well.
THE COURT: I'll sustain the objection.
MR. AUCHINCLOSS: I understand.
Q. Based upon your experiences during the 2546

1 entire time frame you were an employee of the
2 ranch - okay. --
3 A. Okay.
4 Q. -- you said that you observed Mr. Jackson
5 drinking alcohol.
6 A. Yes.
7 Q. Do you know what his -- what type of alcohol
8 he would drink.
9 A. Wine.
10 Q. Okay. Anything else.
11 A. Sometimes he had vodka.
12 Q. All right. During your entire employment at
13 Neverland Ranch, have you ever observed children to
14 appear to be intoxicated.
15 MR. MESEREAU: Objection; leading.
16 MR. AUCHINCLOSS: It's a fair question.
17 THE COURT: Overruled.
18 You may answer.
19 THE WITNESS: Yes.
20 Q. BY MR. AUCHINCLOSS: On approximately how
21 many occasions.
22 A. I can't say for sure how many times, but
23 I've seen it a couple times.
24 Q. Okay. Have you seen children to be
25 intoxicated in the presence of Michael Jackson.
26 MR. MESEREAU: Objecting; leading.
27 THE COURT: Overruled.
28 You may answer. 2547

THE WITNESS: They were acting different. I don't know if they were intoxicated.
Q. BY MR. AUCHINCLOSS: Did they appear to be intoxicated to you.
MR. MESEREAU: Objection; leading.
THE COURT: Asked and answered; sustained.
MR. AUCHINCLOSS: Okay.
Q. Have you told detectives in this case that you observed children to be intoxicated in the presence of Mr. Jackson.
MR. MESEREAU: Objection. Leading; asked and answered.
THE COURT: Overruled.
MR. AUCHINCLOSS: It's impeachment.
Q. Go ahead. You may answer.
A. I believe they were intoxicated, yes.
Q. And is that your belief, your true belief, that these children were, in fact, intoxicated.
MR. MESEREAU: Objection. Asked and answered; leading.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: You said it happened; you couldn't characterize exactly how many times. Was it more than two. More than three. Can you help me out with a little more specifics.
A. Three to four times.
Q. Okay. Do you remember -- do you remember any specific instances. 2548

A. One time when I was serving them dinner,
they appeared to be intoxicated.
Q. All right. What -- what time frame are we
talking about.
A. This would be in September, about, of 2003.
Q. How many children were at the dinner table.
A. Four or five.
Q. Was Mr. Jackson at the dinner table.
A. Yes.
Q. Were there any adults at the dinner table.
A. No.
Q. And of the four or five children, how many
of them appeared to be intoxicated.
A. At least three of them.
Q. Do you know where those children were
immediately before dinner.
A. I think they were at the ranch house.
Q. And what do you base that upon.
A. Because you kind of can keep tabs about
where everybody's at, because you have certain
duties you have to do, like clean the rooms when the
guests are out and about, so you kind of keep tabs,
you know, if they're in the amusement park or the
theater, so --
Q. Do you know if Mr. Jackson was at the ranch
house with them.
A. I don't know that, but I think so.
MR. MESEREAU: Move to strike, Your Honor. 2549

Speculation.
THE COURT: It's stricken. The jury's admonished to disregard that.
MR. AUCHINCLOSS: All right.
Q. Let's talk about -- do you remember another event where you saw children that appeared to be intoxicated.
MR. MESEREAU: Objection.
Q. BY MR. AUCHINCLOSS: That's fresh in your mind, other than the one we just spoke about.
MR. MESEREAU: Objection. Leading; asked and answered.
THE COURT: Overruled.
THE WITNESS: Sitting here right now, I can't remember exactly an incident.
Q. BY MR. AUCHINCLOSS: Have you ever heard the term "Pinocchio's Pleasure Island".
A. Yes.
MR. MESEREAU: Objection; leading.
THE COURT: Overruled. She said "Yes."
Go ahead.
Q. BY MR. AUCHINCLOSS: Where did that term come from.
A. The story of Pinocchio.
Q. But, I mean, the phrase "Pinocchio's Pleasure Island," where did that come from.
A. I believe I said that.
Q. And what did you say that in reference to. 2550

MR. MESEREAU: Objection. Relevance; 352; foundation; leading. Move to strike. And opinion.
THE COURT: Overruled.
THE WITNESS: With the absence of an authority figure, these children became wild. And without their parents there, it became like Pinocchio's Pleasure Island sometimes.
Q. BY MR. AUCHINCLOSS: Neverland did.
A. Yes.
MR. AUCHINCLOSS: All right. Thank you. I have no further questions.
THE COURT: Cross-examine.
MR. MESEREAU: Yes, please, Your Honor.
MR. AUCHINCLOSS: Your Honor, I'm sorry. There is one question that I forgot to ask this witness, if I may reopen just briefly.
THE COURT: All right.
Q. BY MR. AUCHINCLOSS: During the period of time that you were at Neverland, at the end of 2002 -- you came back to work at the end of 2002.
A. Yes.
Q. Do you remember the month.
A. December.
Q. Okay. Do you know, during that time, from December of 2002 until you left in 2003 -- and I believe it was September --
A. Yes.
Q. -- where the key for the wine cellar in the 2551

1 arcade was kept at Neverland Ranch.
2 A. It was supposed to be in the safe in the
3 housekeepers' break room.
4 Q. Was there a safe in the housekeepers' break
5 room at that time.
6 A. Yes.
7 Q. And the rule was to keep the key in that
8 safe.
9 A. Yes.
10 Q. Do you know who had the combination to that
11 safe.
12 A. The housekeepers. And I did, too.
13 MR. AUCHINCLOSS: Okay. Thank you. No
14 further questions
15 THE COURT: Cross-examine.
16 MR. MESEREAU: Yes, please, Your Honor.
17
18 CROSS-EXAMINATION
19 BY MR. MESEREAU:
20 Q. Good morning.
21 A. Good morning.
22 Q. Is it pronounced "Fournier".
23 A. That's fine.
24 Q. "Fournier".
25 A. "Fournier" is fine.
26 Q. My name is Tom Mesereau and I speak for
27 Mr. Jackson.
28 A. Okay. 2552

Q. You and I have never spoken before, right.
A. No.
Q. Okay. During the time that you were employed at Neverland, when did you typically start the day.
A. It all depended.
Q. Did you have any set schedules from time to time.
A. We tried setting schedules. But depending on the amount of people that were coming to visit, the guests, I mean, it never worked, because you always needed more people with more hours.
Q. So, I mean, would you -- let's take a typical week. Would you attempt to abide by a schedule where you might start at 8:00 and finish at 6:00, or something like that.
A. Yeah. Typically when there was nobody there, we would try to do 9:00 to 5:30. And my schedule was always kind of crazy because I was always going to school at the same time that I was working.
Q. Okay.
A. And working around children's babysitting schedules, too, so --
Q. Could you explain that a little bit. When were you going to school.
A. Pretty much all the time.
Q. Okay. What schooling were you doing. 2553

A. Community college.
Q. Okay. Would that be local.
A. Yes. Here in Santa Maria.
Q. Okay. And what college was that.
A. Hancock.
Q. And what years were you going to Hancock.
A. I've been going too long. Off and on. I still am going. I just recently dropped my classes, though, but -- so quite a bit.
Q. And when did you start going to Hancock College.
A. You're going to embarrass me. '87.
Q. Okay. I'm not trying to do that. And obviously you were going part time, right.
A. Yes. Some semesters it was part time and other semesters it was full time.
Q. Typically, would you be going to college at night or during the day.
A. It depended on what semester it was.
Q. Okay. Now, when you went full time, were you still working at Neverland.
A. No. I don't think so, no.
Q. If you can, please tell the jury when you went to college full time.
A. Probably around 1990, the end of '91, beginning of '91, something like that.
Q. You've gone sort of part time since then. 2554

A. Yeah, taking two or three classes.
Q. And if you take two or three classes, how much time does that require that you be off the premises of Neverland.
A. Just to attend the class or including homework.
Q. How about the class. Start with that.
A. Couple hours on certain days.
Q. And would there be commuting time as well.
A. Yes.
Q. And what would that be, about, back and forth.
A. 45 minutes each way, and a two-hour, three-hour class, depending on, and then 45 minutes back.
Q. And how many days a week did you, on average, attend college part time, would you say.
A. Two or three days a week.
Q. Okay. And how about your homework. On a typical week, how many hours a week do you think you'd spend on homework.
A. 10, 15.
Q. Okay. Would you typically do your homework at Neverland.
A. No.
Q. Okay.
A. But I did keep my note cards in my pocket quite a bit, and I did do my homework as I worked 2555

sometimes.
Q. Okay. The prosecutor was asking you some questions about titles, and he asked you if Frank Tyson had a title and Dieter had a title.
You don't know of any titles these people ever had, do you.
A. No. Not formally, no.
Q. And you don't really know what kind of relationship, in terms of business, Frank Tyson had with Michael Jackson, do you.
A. No.
Q. And you don't really know what kind of a business relationship, if any, Marc Schaffel had with Mr. Jackson, do you.
A. No, I just knew that he worked for him, and something with the birthday party. That's all I know. But I don't know the title name exactly, no.
Q. So you knew that Marc Schaffel had something to do with a birthday party for Mr. Jackson, right.
A. Yes.
Q. But you don't really know if he, in any shape or form, was an actual partner or shareholder or employee or anything with Mr. Jackson, right.
A. No, I don't know that.
Q. And you don't know whether Mr. Tyson had any type of actual business relationship with Mr. Jackson in terms of employment or partnership or business venture together, do you. 2556

A. Well, I know that Frank did work for Mr. Jackson and he was out at the ranch for a couple of months.
Q. But he would be there for a couple of months and then just disappear for six months, right.
A. Yes. But I joked around with him that he was working with the commoners now.
Q. Well, was it your understanding that he was trying to get in the music business.
A. Yeah. When you mention it, I remember hearing something about that, yes.
Q. Was it your understanding that he was trying to present himself as a promoter of music ventures.
MR. AUCHINCLOSS: Objection. Hearsay; no foundation.
THE COURT: Overruled.
THE WITNESS: I just remember something about music that Frank was trying to do, but I don't --
Q. BY MR. MESEREAU: But you don't really know what, in fact, he was doing.
A. No.
Q. He could have been puffing up his credentials and his importance and there could be nothing there, right.
A. True.
Q. And he never, ever said to you, "I have this particular business association with Mr. Jackson." 2557

He just demonstrated an interest in music and the life that Michael was leading, right.
A. Yes.
Q. Okay. Now, the prosecutor did not mention Marie Nicole, his sister. Do you remember that.
A. Yes.
Q. And Marie Nicole, Frank Tyson's sister, was a frequent visitor at Neverland, right.
A. Yes.
Q. And when you say "Frank Tyson," that's Frank Cascio, right. He seemed to use both names, correct.
A. Yes.
Q. So his sister Marie Nicole stayed there often, right.
A. Yes.
Q. And his brother Aldo stayed there often, right.
A. Yes.
Q. And his father Dominick stayed there often, didn't he.
A. Not as much as the kids. But, yes, he was there.
Q. The whole family would visit from time to time, right.
A. Yes.
Q. Okay. How about Frank's mother.
A. She would visit, I would say, a couple times 2558

a year. At Christmastime.
Q. Did Frank impress you as someone who liked to sort of promote himself or brag about his association with Mr. Jackson.
A. I don't know if he bragged about his association with Mr. Jackson, but he was different.
Q. He bragged a lot, right.
A. I can't remember him directly bragging to me. But I know that he liked himself.
(Laughter.)
Q. Okay. All right. That's good enough.
Okay. And did he impress you as the kind of person that would come back and forth with a very irregular pattern. I mean, you just never knew when he would pop up, and then he would just flat out disappear, right.
MR. AUCHINCLOSS: Objection; vague as to time.
THE COURT: Overruled.
You may answer.
THE WITNESS: Yes, he would.
Q. BY MR. MESEREAU: Certainly you could not characterize his being at Neverland as appearing to be some type of pattern where he'd check in or check out, or anything like that, at a particular time like an employee would, right.
A. No. But I do know for a while he was an employee, because he told me that. 2559

Q. He told you he was an employee.
A. Yeah.
Q. But he didn't tell you who was paying him,
did he.
A. No.
Q. You don't know actually what company was
paying him, if one was, right.
A. No, I don't know.
Q. All right. Now, would you agree, in the
world of Michael Jackson, all kinds of characters
show up claiming they're his friend, right.
A. Yes.
Q. All kinds of characters are always showing
up trying to act like they're close to Michael
Jackson, correct.
A. Yes.
Q. And Michael Jackson has made the employees
aware at Neverland that all kinds of imposters,
kooks, nuts, crazy people show up saying, "I'm his
friend," right.
A. Yes.
Q. And they actually try to get in often, don't
they.
A. Yes.
Q. And -- and all kinds of wild people call up
all the time trying to pretend that they are close
to Michael, right.
A. Yes. They have called. 2560

1 Q. You've seen these people come and go for
2 years, right.
3 A. Do you mean breaking in on the property,
4 too.
5 Q. Just trying to get close to Michael Jackson.
6 A. Oh, yes.
7 Q. Some line, some yarn they're spinning,
8 whatever it is, right.
9 A. Yes.
10 Q. And you've seen people show up from time to
11 time and look as if they're close to him, and then
12 you never see them again suddenly, right.
13 A. Yes.
14 Q. Okay. Now, you mentioned Vinnie -- or,
15 excuse me, the prosecutor, or the government
16 mentioned Vinnie Amen. Do you remember.
17 A. Yes.
18 Q. Now, he was in his early 20s, as far as you
19 know, wasn't he.
20 A. Yes.
21 Q. And Frank Tyson was in his early 20s, right.
22 A. Yes.
23 Q. And Vinnie Amen also appeared to try and
24 promote himself as having something to do with the
25 music industry, right.
26 A. I never knew what Vinnie was doing.
27 Q. Did you see him -- did you see him hang out
28 with Frank a fair amount. 2561

A. Yeah. And they both got desks up in the video library, so --
Q. Right. Right. But he didn't come on any regular basis, did he. He was another one of these guys who would show up, you'd see him for a while, and then the guy disappears, right.
A. Yes.
Q. And you certainly never really knew what business relationship, if any, he had with Michael, right.
A. Yes.
Q. But he was another one of these guys that would just strut around and promote himself because he supposedly knew Michael Jackson, right.
A. Yes.
Q. You've seen a lot of young people in their 20s suddenly come around and act like they know Michael Jackson, right.
A. Yes.
Q. And you've seen a lot of people say they're music promoters or music agents, or whatever, to claim that they are part of the world of Michael Jackson, correct.
A. Yes.
Q. Now, during the time you've worked at Neverland, you've seen thousands of children, probably, come to Neverland, right.
A. Yes. 2562

Q. Neverland appears to be designed for kids,
doesn't it.
A. Yes.
Q. You've got an amusement park, right.
A. Uh-huh.
Q. You've got a zoo, right.
A. (Nods head up and down.)
Q. You've got fields where kids could play,
right.
A. (Nods head up and down.)
Q. You've got a theater where they can go in
and get popcorn or ice cream or sodas, right.
A. (Nods head up and down.)
Q. And there's a lot of freedom at Neverland
regarding what movie you can see, right. Isn't
there some big library where you can get videos and
play those --
A. Yes.
Q. -- movies.
You've got the arcade with all sorts of
games, right.
A. Yes.
Q. And you've seen, during the time you've
worked there, busloads of kids, impoverished kids
from the inner city, for example, coming out to
visit Neverland, right.
A. Yes.
Q. And they can be a little wild from time to 2563

1 time, can't they.
2 A. Oh, yes.
3 Q. And you've seen hundreds of kids come at one
4 time with maybe a couple of adults escorting them
5 around, correct.
6 A. Yes.
7 Q. And they'll spend the whole day at
8 Neverland, right.
9 A. Yes.
10 Q. Now, were you ever asked to help supervise
11 or organize these busloads of kids that often come
12 out.
13 A. No.
14 Q. Your job was strictly what.
15 A. Cleaning and serving.
16 Q. Okay. Okay. Now, sometimes when these
17 hundreds and hundreds of kids will show up from the
18 inner city or from schools, or wherever they're
19 from --
20 MR. AUCHINCLOSS: I'll object as
21 mischaracterizes the testimony. We've gone from 100
22 to hundreds and hundreds.
23 MR. MESEREAU: I'll rephrase it.
24 Q. You've seen, on a given day, literally
25 hundreds of children show up to spend the day,
26 haven't you.
27 A. Yes.
28 Q. And -- bless you. 2564

A. Yes.
Q. And you have also seen this happen quite a bit, haven't you, where, on a given day, buses or carloads of kids come to spend the day.
MR. AUCHINCLOSS: Objection; compound.
THE COURT: Overruled.
THE WITNESS: Yes.
Q. BY MR. MESEREAU: And typically what will happen is these children will come late morning, spend the whole day, and sometimes into the evening, correct.
A. Yes.
Q. Now, you don't typically see Michael Jackson supervising these kids, do you.
A. No.
Q. In fact, you almost never see Michael Jackson supervising these kids, right.
A. No.
Q. And it's your understanding that typically when these busloads or carloads of children show up, that they're with people, adults, who are in charge of them, correct.
A. Yes.
Q. And you have seen these children from time to time be pretty rambunctious or wild, right.
A. Yes.
Q. You've seen them be a little wild on the rides, right. 2565

A. Uh-huh.
Q. You've seen them go a little crazy when the elephants come walking through the property, right.
A. Yes.
Q. You've seen sometimes the camel comes walking out with a zookeeper and the children all love that, right.
A. Yes.
Q. You've been -- have you seen the children go to the zoo and go from area to area to see the alpacas and the giraffes and the tiger and the chimps and all that.
A. Yes.
Q. And you've seen children, at times, get out of line, haven't you.
A. Yes.
Q. They start throwing things, right.
A. Yes.
Q. You've seen kids throw stuff from the rides, right.
A. Yes.
Q. Would you agree that it's to be expected at Neverland that when you have hundreds of children, many of them from impoverished areas, they come to this world of amusement, and zoos, and films, and candy and popcorn and ice cream, and all that stuff, they sometimes go crazy, don't they.
MR. AUCHINCLOSS: Objection. Calls for a 2566

conclusion; argumentative.
THE COURT: It's argumentative. Sustained.
MR. MESEREAU: Okay.
Q. Is it unusual for young kids, seven, eight, nine, ten, thirteen, whatever they are, to just start going wild at Neverland.
A. Yes.
Q. It's not unusual, is it.
A. No, it's not unusual.
Q. Okay. Is it your impression that these busloads of children that periodically come to Neverland just look like they've sort of walked into a fantasy world.
A. Yes.
Q. In fact, in the evening at Neverland, you hear Disney music playing, don't you.
A. Yes.
Q. And you have trees with lights that almost look like it's Christmastime, right.
A. Yes.
Q. And you hear Disney-like voices coming from loud speakers, right.
A. Yes.
Q. And you've seen many of these children want to stay there into the evening because of this sort of fantasy-like world at night, right.
A. Yes.
Q. Okay. Now, would it be accurate to say that 2567

these kinds of trips that children make to Neverland happen quite often.
A. The busloads.
Q. Busloads or carloads, however they get there. You have children visiting Neverland a fair amount, don't you.
A. Yes.
Q. Okay. Is it your impression that Neverland appears to almost be designed as a place for children.
A. Yes, I do.
Q. You have a train, right, that travels around Neverland.
A. Yes.
Q. And it's almost out of a Walt Disney-type movie, isn't it.
MR. AUCHINCLOSS: I'll object. 352; relevancy; undue consumption of time.
THE COURT: Overruled.
THE WITNESS: Yes.
Q. BY MR. MESEREAU: And you see kids jump on those trains, that train, and travel all around Neverland, don't you.
A. Yes.
Q. You have clocks everywhere, don't you.
A. Yeah.
Q. And they're big clocks that look sort of Walt Disney-like, don't they. 2568

A. Yes.
Q. You've got a big clock on a hill that's partly flowers, isn't it.
A. Yes.
Q. And that's where a train station is, right.
A. Yes.
Q. You even have your own little fire station, with a fire truck, right.
A. Yes.
Q. Now, Mr. Auchincloss mentioned Dieter. And you indicated you had seen him there a few times, right.
A. Yes.
Q. But you never really knew if he had any formal type of business relationship with Mr. Jackson, did you.
A. The only thing I remember with Dieter is there was a doll, probably like this high, that was porcelain, that was Mr. Jackson; that he had told me that he was working on making those. Because I offered to glue it back together because it broke, and he said it wasn't needed because there was many, many more where that came from.
Q. So he was telling you he was trying to manufacture dolls.
A. Something like that. Porcelain -- porcelain figurines.
Q. Okay. Did he tell you where they were going 2569

to be manufactured.
A. No.
Q. But if Michael Jackson even knew about this or was involved in it, you don't really have firsthand knowledge, right.
A. I don't know.
Q. Okay. Did Dieter seem like a promoter to you, sort of. Would that be an accurate word.
A. I guess, yes. He seemed like a businessman. That's how I would describe him.
Q. Did he seem impressed with himself.
A. I guess you could say that. Somebody might say that.
Q. Did he talk much.
A. No.
Q. Okay. If he had any contractual relationship with Mr. Jackson or partnership relation, whatever it could be, you're not aware of it.
A. No.
Q. And did he sort of come and then disappear, too.
A. Yes.
Q. Let's talk about Ron. Do you know who I'm talking about.
A. Yes.
Q. Okay. Konitzer is his name, right.
A. Yes. 2570

Q. Did you talk to him very much.
A. No.
Q. Did he seem like a self-promoter also.
MR. AUCHINCLOSS: I'll object as calls for a conclusion. Vague as to "self-promoter."
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Mr. Konitzer seem like he was impressed with himself.
A. I never really talked to either of them, so -- they seemed -- Ron seemed much nicer.
Q. Nicer than Dieter.
A. Ronald. Yes.
Q. But you never really talked to Ron or Dieter.
A. No.
Q. And I think it goes without saying, if Ron had any type of formal association with Mr. Jackson, you don't know what it was, right.
A. No, I don't know.
Q. And didn't he sort of show up at unexpected times and then just not be there for many, many months.
A. Yes.
Q. Okay. Schaffel would show up once in a while, right.
A. Yes.
Q. And then he would disappear, right.
A. Yes. 2571

Q. In fact, there were periods where months would go by, you'd never see Schaffel, right.
A. No, you wouldn't.
Q. Did you get the impression that Schaffel was trying to promote himself as someone who knew Michael Jackson.
A. I don't want to sound odd when I say this, but I think he was an opportunist. I --
Q. He was one of many opportunists that you bumped into while working at Neverland, right.
MR. AUCHINCLOSS: Objection; argumentative.
THE COURT: Overruled.
You may answer that.
THE WITNESS: I'm sorry, what was the question.
THE COURT: I can have it read back to you.
MR. MESEREAU: Okay.
(Record read.)
THE WITNESS: Yes.
Q. BY MR. MESEREAU: Now, if Dieter was telling things to Michael Jackson, you don't know what they were, right.
A. No.
Q. If Ron was communicating with Michael Jackson about anything specific, you don't know what that was, right.
A. No.
Q. And if Frank was communicating anything 2572

specific to Michael Jackson, you don't really know what that was, right.
A. No.
Q. If Vinnie was communicating anything to Michael Jackson, you don't know what that was, right.
A. No.
Q. Same with Schaffel, right.
A. Yes. Same.
Q. Now, let me ask the question a slightly different way: If Ron was withholding information from Michael Jackson, you wouldn't know anything about it, right.
A. No.
Q. If Dieter was withholding information from Michael Jackson, you wouldn't know anything about that, right.
A. No.
Q. If Schaffel was withholding information from Mr. Jackson, you don't know anything about it.
A. No.
Q. And the same would apply to Frank and Vinnie, right.
A. Yes.
Q. So what they were really telling him and what they weren't telling him, you don't know.
A. No, I don't know.
Q. And would it be accurate to just say, in 2573

summary, these characters would show up once in a while, disappear, and you never could predict when they would be there or not be there, right.
A. Yes, you never could predict.
Q. Okay. Okay. Now, in your work, if you can -- if you can generalize it -- I don't know if you can, but let's take 2002 to 2003. When you weren't in school and you weren't doing your homework, and you were at Neverland, how often might you see Michael.
A. If he was there, a couple of times a day. Sometimes not at all if -- you know, depending on how he was feeling.
Q. Would Michael disappear for long periods of time and go places that you weren't even aware of.
A. Do you mean leave the property.
Q. Yes.
A. Yes, he would.
Q. And sometimes he'd be away for a long time, wouldn't he.
A. Yes.
Q. Weeks, months, right.
A. Yes.
Q. And when he was at Neverland, you didn't really know everything he was doing, right.
A. No.
Q. Did you ever see him go into his studio.
A. The dance studio. 2574

Q. Yes.
A. Yes.
Q. And you weren't always in there when he was in his dance studio, were you.
A. No.
Q. And if he were creating or choreographing or whatever he was doing, you weren't knowledgeable about it, right.
A. No.
Q. And would you see Michael sometimes in the evening walking around the property.
A. Yes.
Q. Sometimes he's alone, right.
A. Yes.
Q. In fact, you would often see Michael alone walking around, wouldn't you.
A. Yes.
Q. He would take long walks and do his creative work alone, right.
A. Well, what he was doing on his walk, I don't know. But he would walk.
Q. Did you ever see Michael sitting up in his tree where he likes to think and create.
MR. AUCHINCLOSS: Objection; assumes facts.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Are you aware of a tree that Michael Jackson will sometimes just sit in alone so he can create his musical work. 2575

A. I'm aware of the tree.
Q. Okay. Do you know where it is. Right near the main house, right.
A. Yes.
Q. It's in the front.
A. Yes.
Q. Okay. All right. Clearly, you would not keep tabs on where Michael was on any given moment when he was at Neverland, right.
A. No, but, I mean, you kind of had an idea of where he was so you could do what you needed to do, you know. If you needed to mop the floor or something, are they going to watch a movie for two hours so you can get this thing done, that kind of thing.
Q. Now, you mentioned someone named Joe Marcus.
A. Yes.
Q. What is his title, if he has one.
A. Ranch manager, I think.
Q. Okay. And did you typically report to him.
A. No, I would report to the house supervisor first.
Q. Okay. And was it your understanding the house supervisor would report to Mr. Marcus.
A. Yes.
Q. And would you often get direction about what you are supposed to do from the house supervisor.
A. Yes. 2576

Q. Would you ever get it from Mr. Marcus.
A. Yes.
Q. In a typical day where you do your work at Neverland, do you pretty much start the day knowing what your assignments are.
A. Yeah, you do. You know, if there's guests there, your duties change. And if there's nobody there, you know, it's just cleaning. But when there's guests there, it's serving the guests.
Q. Now, the prosecutor for the government tried to suggest that Michael Jackson is on top of all the details at Neverland. Do you remember that.
A. Yes.
Q. Isn't it true that there are months where Michael isn't even around.
A. Yes.
Q. And you don't get your direction from Michael specifically during those months, do you.
A. No. But I believe that he laid it out the way that he wanted it. I mean, he wants us to take care of the house when he goes away and that kind of thing.
Q. Well, sure. There are general duties that everybody has that's employed at Neverland, right.
A. Yes.
Q. You've got a zookeeper who's told to take care of the zoo, right. You've got people in charge of the amusement rides, right. 2577

A. Yes.
Q. You've got someone in charge of the theater, right.
A. Not really in charge of the theater. That's kind of what we did, so --
Q. But someone was certainly in charge of making sure it's cleaned and that kind of thing, right.
A. That would be us, yeah.
Q. Okay. So the house supervisor would essentially be in charge of what you did at the theater.
A. Yes.
Q. Okay. Okay. And you certainly had a general responsibility to make sure that theater was clean, right.
A. Yes.
Q. And would it be -- would it be, oh, accurate to say that when that theater was filled with kids watching a movie, they might leave and leave things a little messy.
A. Absolutely.
Q. And would you see popcorn everywhere and things like that.
A. Yep.
Q. And you were one of the people who had to clean that, right.
A. Uh-huh. 2578

Q. Okay. Okay. So you've got a fairly large staff there, don't you.
A. Yes.
Q. Would it be accurate to say, on average, during the time that you worked at Neverland, there may have been 50 or 60 employees.
A. Yes.
Q. Because you've got security people also, don't you.
A. Yes.
Q. And would you be in touch with the security people on a regular basis.
A. You'd see them throughout the day, so -- but we wouldn't necessarily report anything to them. I mean, unless there was a problem.
Q. Right. Let me know if this is an accurate statement: You've got an average of 50 to 60 employees with different tasks that have been spelled out for them, right.
A. Uh-huh.
Q. Whether it's security, the main house, the zoo, whatever it is, right.
A. Uh-huh.
Q. You've got people with various levels of supervisory authority, right.
A. Uh-huh.
Q. And you've got long periods where Michael isn't even around, right. 2579

A. Yes.
Q. And Neverland seems to run even when Michael isn't there, right.
A. Yes.
Q. Even when Michael is there, there are periods where he seems to be off alone doing whatever he's doing, right.
A. Yes.
Q. When you said that he's a detail person, you weren't trying to suggest that Michael spends 15 hours a day supervising everybody's tasks, did you.
A. No.
MR. AUCHINCLOSS: Objection; argumentative.
THE COURT: Overruled. The answer was "No."
Next question.
Q. BY MR. MESEREAU: In fact, most of the discussion about what people are going to do on a daily basis is not with Michael, right.
A. No.
Q. Now, once in a while, because he's the owner, he does directly tell someone his wishes, right.
A. Yes.
Q. Because that's where -- he lives there and his family lives there, right.
A. Yes.
Q. But most of the time, wouldn't you discuss your daily responsibilities and obligations with 2580

people other than Michael.
A. Yes.
Q. Okay. Now, how many employees, would you say, are assigned to the main house.
A. When I was there, nd when I left in September, there was five.
Q. Okay. And during the many years that you've worked at Neverland, do people's responsibilities typically remain or do people shift into other types of jobs from time to time.
A. They shift from time to time.
Q. Now, have you shifted a little bit.
A. A little bit sometimes, yes.
Q. What kind of shifting have you done.
A. I helped with the kids a little bit. But very little.
Q. Do you mean Michael's children.
A. Yes.
Q. Could you tell the jury their names.
A. Prince and Paris and Blanket.
Q. Okay. And their ages.
A. I think Prince is about eight, and Paris is about seven. And the little one is two now, I think.
Q. Okay. And what have your responsibilities been with the three children.
A. Well, I would just watch them briefly, you know, when the nanny was busy doing something. 2581

1 And -- you know, or take them out to the zoo. One
2 time I did, you know, so -- and watch Paris when she
3 was little for one night.
4 Q. Okay. The prosecutor for the government
5 asked you a question about children not staying in
6 their assigned rooms. Remember that.
7 A. Yes.
8 Q. And you said something to the effect that
9 sometimes a child would have a room, I imagine in
10 the guest units, right.
11 A. Yes.
12 Q. And you would see the bed not made, right.
13 A. Do you mean not used or not made.
14 Q. Pardon me, not made. Let me strike that.
15 Wrong choice of words.
16 You would sometimes come in and see a room
17 that just didn't appear to be used, right.
18 A. Yes.
19 Q. And I think what the government prosecutor
20 was suggesting was the kids must have been somewhere
21 during the evening, right.
22 A. Yes.
23 Q. But I'm curious. You also said that you
24 looked at Gavin's room and it often was a mess,
25 right.
26 A. Toward the end, yes.
27 Q. Suggesting that Gavin was staying in the
28 room, right. 2582

A. I believe it was he and his brother that were staying in there.
Q. And they made a real mess out of that room, didn't they.
A. Yes.
Q. Quite often, didn't they.
A. Toward the end, yes.
Q. And they were known -- they had a reputation at Neverland for having disciplinary issues with the staff, didn't they.
MR. AUCHINCLOSS: Objection. Calls for hearsay and calls for a conclusion; improper characterization of the evidence.
THE COURT: Overruled.
You may answer.
THE WITNESS: Not really with me. I mean, Gavin was always respectful with me. Always. Star could be a little bit ornery. And Davellin, we'd talk every once in a while. But I never experienced any problems.
Q. BY MR. MESEREAU: But you knew other employees did, didn't you.
A. Well, I knew that they were becoming demanding, yeah, but I don't really remember a specific incident.
Q. Now, when you say you learned that they were becoming demanding, could you tell the jury what you mean. 2583

A. Well, every night we'd make dinner, and he always wanted something other than what was made for dinner.
Q. Who was this, now.
A. Star.
Q. Would make demands on you personally.
A. Yeah. They'd want certain kinds of foods made at certain times. And usually it was chicken noodle soup, which wasn't that difficult, but --
Q. Would you get upset at those demands.
A. Honestly, I got irritated sometimes because of the demand. There was so much to do. There was so much to do, and I -- when the kids got a little ornery, it was -- it was a lot. It really was. It was -- and I felt like there was no respect.
Q. And they seemed to sort of get very spoiled there at some point, didn't they.
A. Yes.
Q. And weren't there complaints about their throwing candy.
A. Yes.
Q. There were complaints about their throwing objects from the amusement rides.
A. Yes.
Q. There were complaints from other employees that they were almost acting like they owned the place.
A. I don't remember that one, but I know that 2584

1 they were getting a little ornery.
2 Q. Do you remember their crashing carts.
3 A. All of them crashed the carts. I don't
4 remember specifically if they did or not.
5 Q. Okay. Okay. Now, did you ever learn that
6 they were caught with adult material.
7 MR. AUCHINCLOSS: 403 ruling.
8 MR. MESEREAU: I think the Court said I
9 could ask.
10 THE COURT: Overruled.
11 Q. BY MR. MESEREAU: Did you ever learn that.
12 A. No, I don't remember that.
13 Q. Did you ever learn that they were caught
14 masturbating in the unit.
15 A. No.
16 Q. Okay. Okay. You never had any discussion
17 with anyone about that.
18 A. No.
19 Q. Okay. Okay. Do you recall learning that
20 they had driven off the property at one point into
21 town.
22 MR. AUCHINCLOSS: Objection.
23 Q. BY MR. MESEREAU: Did you ever hear about
24 that.
25 MR. AUCHINCLOSS: Objection; foundation.
26 THE COURT: Overruled.
27 You may answer.
28 THE WITNESS: I know that they left with 2585

Chris Carter one time.
Q. BY MR. MESEREAU: You don't have any knowledge of their going into town on their own, do you.
A. No.
Q. Okay. Did you ever see the Arvizo family riding around in a limousine.
A. I know that they were taken in the -- Mr. Jackson's vehicles sometimes, so --
Q. And when you say "Mr. Jackson's vehicles," please tell the jury what kind of vehicles you're talking about.
A. A lot.
Q. Okay. No, what -- describe the vehicles, if you would.
A. Rolls Royces. I know that he owns a limousine. There's a black Navigator. So just different cars.
Q. And it was -- was it your understanding that these kids would demand that they be taken places in those vehicles.
A. I didn't know about that.
Q. Okay. Did you see their mother very much.
A. No, not that much. She pretty much stayed in her guest unit.
Q. Did you ever see her walking on the premises.
A. Not really, no. 2586

Q. Ever see her at the theater.
A. Can't remember if I've seen her at the theater or not.
Q. How about in the main house.
A. Yes.
Q. You've seen her in the main house a lot, right.
A. Yeah, she would come in there and eat dinner in there sometimes.
Q. And she'd be in there in the morning also, wasn't she.
A. Usually I wasn't there that much in the morning.
Q. Okay. Now, you've indicated, I think - correct me if I'm wrong - that there were times you cooked for the Arvizo family, right.
A. Did I cook for them. I don't remember.
Q. Do you remember Star pulling a knife on you in the kitchen.
A. Yes.
Q. Approximately when did Star pull a knife on you in the kitchen.
A. Do you mean about what month it was.
Q. Month or year, if you remember.
A. Well, it was during that time period between -- I want to say it's, like, February. I think.
Q. And when Star pulled a knife on you in the 2587

kitchen, were you preparing food.
A. I was doing the dishes.
Q. Okay. And was he trying to cook in the kitchen.
A. Yes.
Q. That was against the rules, wasn't it.
A. Well, it's just not really wise to have a child in there cooking with everybody, because it's kind of -- plus, you know, you've got things that you have to do, so you have to work also.
Q. Uh-huh.
A. So --
Q. Now, the prosecutor for the government asked you questions about where the key to the wine cellar was supposed to be, right.
A. Yes.
Q. And I believe you indicated it was supposed to be in a safe.
A. Yes.
Q. But you don't know if there were periods of time when it was out of that safe, do you.
A. No.
Q. Were you often in the wine cellar.
A. Not often, but I've been down there.
Q. Okay. And could you please describe for the jury what the wine cellar looks like.
A. It's kind of like a cave in some ways, I want to say. It's got rock walls. And it's kind of 2588

like walking into, like, a basement or a cellar. And it's got a main room, and there used to be a table in there. And they have -- there's wine on the wall. And there's like another area with, like, a little sink and a refrigerator and a freezer in there, too. And there's hard liquor in the cabinet in the wine cellar where the kitchen is.
Q. Sometimes that wine cellar was open, wasn't it.
A. Yes.
Q. You found it open, didn't you.
MR. AUCHINCLOSS: Objection; vague as to time.
MR. MESEREAU: I'll rephrase, Your Honor.
THE COURT: All right.
Q. BY MR. MESEREAU: During the time you worked at Neverland, you sometimes found that wine cellar open, didn't you.
A. Yes.
Q. Now, it wasn't your responsibility to keep it locked, was it.
A. No.
Q. Okay. And isn't alcohol kept in the kitchen.
A. Yes. But on the wine cellar, it wasn't our responsibility to keep it locked. But when we left, you know, we locked it. We didn't leave it open, I mean, if we went down there for a purpose. 2589

Q. But there certainly were many times, for whatever reason you happened to be in that area, and saw that it was open, right.
A. Yes. If you went down there and checked the door, yeah.
Q. Yes. Okay. Were you at -- excuse me. Let me rephrase that.
Were you working at Neverland during the period of, say, February 1st, 2003, to March 12th, 2003.
A. Yes.
Q. Were you working full time.
A. Yes.
Q. Were you going to college then.
A. Yes.
Q. And during that period of time how often would you go to college.
A. I think it was three days a week.
Q. So would you be following the schedule that you defined a little earlier in our questioning.
A. The radical schedule. Yeah, I would come in later. I would come in late because that way I could get my kids off to school and sleep a little bit, too, so that way I could do the late shift again.
Q. And it was a 45-minute drive into town to go to school.
A. Uh-huh. 2590

Q. And a couple hours at school and then 45 minutes back, right.
A. Yes.
Q. Okay. And then you would do your homework during the schedule you talked about earlier, right.
A. Yeah, here and there.
Q. Okay. Okay. You have people at Neverland who were in charge of security, right.
A. Yes.
Q. And about how many people are employed at Neverland who are involved in security.
A. There used to be a lot more. But I don't know. Like when I left, I want to say like seven, eight, something like that.
Q. Okay. Now, at one point you said that towards the end of their stay at Neverland -- excuse me, let me rephrase that.
Toward the end of the Arvizos' stay at Neverland, you noticed that Gavin and Star's room was consistently messy, right.
A. Yes.
Q. And that's the room in the guest quarters, right.
A. Yes.
Q. When you say "towards the end," what do you mean.
A. Before they didn't come back, really.
Q. Would that have been, say, a week before 2591

they didn’t come back. Two weeks.
A. Two weeks probably.
Q. So approximately two weeks before the Arvizos left for good, you noticed that Gavin and Star’s room was consistently messy, right.
A. Yes.
Q. And that indicated to you that they were staying in that room, right.
MR. AUCHINCLOSS: Objection; calls for a conclusion.
THE COURT: Overruled.
You may answer.
THE WITNESS: I thought they were. But I don’t know if they were or not.
Q. BY MR. MESEREAU: But there was a period where you would often not see their rooms a mess, right.
A. Yes. I mean, they were sloppy. But towards the end, their room was just -- things were broken and it was -- it was a mess.
Q. Now, during this last couple of weeks that they were at Neverland, when you say their room was a mess, what did you do when you discovered this.
A. I was with Maria one time and -- when we discovered it, and we decided to talk to the house manager and let him know, because it was getting really bad.
Q. And during those last two weeks that the 2592

Arvizos were at Neverland, what specifically did you notice about Gavin and Star's room.
A. That it was just torn apart.
Q. They really trashed it.
A. Yeah.
Q. Please tell the jury how they trashed it, if you know.
A. I can't say for sure what had happened, but there was things spilled. There was glasses broken. The refrigerator was a mess, too. Every unit has its own refrigerator, and it was -- it just looked like somebody had just gone in there like a tornado and -- like a whirlwind.
Q. Did you ever talk to Gavin or Star about that.
A. No, I don't think I did.
Q. Okay.
A. Because it wasn't my place to.
Q. Was it your responsibility simply to clean it.
A. Yes.
Q. And you said you made a complaint to somebody.
A. Yes.
Q. Who did you make a complaint to.
A. The house manager.
Q. And who was that.
A. Jesus Salas. 2593

Q. Okay. Did you tell Jesus Salas that they had broken things in the guest unit.
A. Maria was with me, and I think he even came in and saw the mess. I can't remember for sure. But I know that he -- somehow he knew about it.
Q. And was their bedroom a complete mess.
A. Yes.
Q. Was the bed a mess.
A. Yes.
Q. What was broken.
A. There was some glasses in the rooms that they have. Every room has a couple of glasses in it, and some wine glasses and that kind of thing, and the glasses were broken.
So I don't remember which glass in specific it was, but there was broken glass, and there was no attempt to clean up the mess.
Q. Was anything else wrong with their room during those last two weeks the Arvizos were at Neverland.
A. Not anything else that I can think of. Just about how -- how it was just -- there was no care as to how the room was kept. It was like that.
Q. So the bed was a mess, right.
A. I remember -- if memory serves me correct, yes.
Q. The chairs were a mess.
A. The furniture was moved, yes. 2594

Q. Was there garbage around.
A. Yes.
Q. Broken glass around.
A. Yes.
Q. Did it look like furniture had been damaged to you.
A. I don’t know if it had been damaged, but it had been moved.
Q. Was there food around.
A. Yes.
Q. Did it look like they’d spilled drinks around.
A. Yes.
Q. How about the bathroom. Did they make a mess out of the bathroom.
A. I think the door was shut.
Q. Okay. All right. Did you ever mention any of this to their mother Janet.
A. No.
Q. All right.
A. It wasn’t my place.
Q. Okay. So you didn’t think it was your responsibility to talk to them about this, right.
A. No.
Q. You just felt it was your responsibility to clean it, and report it, right.
A. I just thought it might be good for somebody to know what was happening. 2595

Q. Okay. And you didn't ever directly report this to Michael Jackson, right.
A. No.
Q. You just reported it to the person in the chain of employment that you were supposed to report to.
A. Yes.
Q. Okay. Did you discuss it with anyone else besides Jesus Salas.
A. Maria.
Q. And who is Maria.
A. Maria Gomez, another housekeeper.
Q. And do you know if she did anything about it.
A. Well, like I said, I think that it was she and I together that went and told Jesus.
Q. Okay. Together you did that.
A. Yeah, I believe it was together, because I remember being in the room with her also when -- I think we went to go clean it together.
Q. Okay. Was your complaint an oral complaint, or was it in writing.
A. No, it was verbal.
Q. Okay. To your knowledge, did Jesus Salas do anything about it.
A. I don't know what he did.
Q. Okay. Did you just make one complaint.
A. Yes. 2596

Q. All right. Now, I mentioned security at Neverland. There was a lot of concern about security at Neverland, wasn't there.
A. Yes.
Q. You yourself, for example, were worried about Michael Jackson's fans, right.
A. Yes.
Q. You told the sheriffs you were worried about his sicko fans coming onto the property and being a threat to people, right.
A. Only some of them.
Q. Only some of them.
A. Yes. Not all fans are sicko.
Q. No, I didn't mean that.
(Laughter.)
Q. BY MR. MESEREAU: But you were worried about the fact that Mr. Jackson is so popular around the world that, as you described it, sicko fans could provide a security threat, right.
A. Well, yeah, there was one incident that stood out in my mind about a fan that was quite unstable, would seem to me. And people like that don't really make me feel comfortable.
Q. And did this person try to get on the property.
A. Many of them have, yes. Actually, one of them did. A couple of them did.
Q. And what happened. 2597

A. Well --
MR. AUCHINCLOSS: I'll object as to relevancy and time.
THE COURT: Sustained.
Q. BY MR. MESEREAU: The property at Neverland is approximately 2800 acres, right.
A. Yes.
Q. You have fence around the property for the most part, don't you.
A. Split rail fence, I think it's called.
Q. Split rail fences that actually a child could almost get in and out if they wanted, right.
A. Yes.
Q. When you say "split rail," you mean essentially a wooden post and a couple of wooden rails, right.
A. Yes.
Q. Adults or children typically could go in or out if they wanted, right.
A. Yes.
Q. And very close to those split rail fences are roads, right.
A. Yes.
Q. Roads where cars speed back and forth, right.
A. Yes.
Q. You've got houses on Figueroa Road right across from Neverland, don't you. 2598

A. A school is, yes.
Q. There's a school. And the school isn't far from those split rail fences, is it.
A. No.
Q. And would it be fair to say that children at Neverland could easily go through a fence onto a road where cars are speeding.
A. Well, it's a long ways from the main house, but --
Q. It could happen, couldn't it.
A. If you kept walking, yes.
Q. Are you aware of any moments when children from the school tried to get into Neverland.
A. No, I'm not familiar with any of those.
Q. Okay. To your knowledge, do the security people sort of travel around the perimeter of Neverland once in a while, just to make sure nobody's on the property when they shouldn't be.
A. Well, I know that they make perimeter checks, and they would check around the property and make sure that there's no parked cars or that kind of thing out on the property, and then go all throughout the whole property, too.
Q. But typically when somebody enters Neverland, they go to a closed gate, right.
A. Yes.
Q. And they stick their arm out of the car and push a button, right. 2599

A. Oh, to get into the front gate.
Q. Yes.
A. Yes.
Q. And they then hear, through an intercom, a voice asking who they are, right.
A. Yes.
Q. And then if they're permitted in, these wooden gates open and they can drive in, right.
A. Yes.
Q. But wouldn't you agree that not too far away from that entrance are those split rail fences.
A. Well, it's right next to it, yes.
Q. And realistically, if children wanted to go in or out, or run across the road or dart across the road, there's always a danger of that, isn't there.
A. Yeah, if they wanted to get out from the fence, they can. There's no question of that.
Q. How many children go to the school across the street, if you know.
A. I think a couple hundred.
Q. And has that school been there during the time that you've worked at Neverland.
A. Yes.
Q. Okay. Do you remember Michael Jackson having a blood drive at Neverland in approximately December of 2002.
A. I remember there was a blood drive for Gavin, but I don't remember when. 2600

Q. Would it refresh your recollection if I just show you a police report on that with a date.
A. Sure.
MR. MESEREAU: May I approach, Your Honor.
THE COURT: Yes, you may.
MR. AUCHINCLOSS: May I see it, Counsel.
THE WITNESS: I think it was donated, but I don't remember right now. I probably guessed right there, around about, but I can't say for sure right now.
MR. MESEREAU: Okay.
Q. I have to ask you a few questions that I'm required to ask.
A. Okay.
Q. Have you had a chance to review that page of the police report.
A. Yes, that section.
Q. And does it refresh your recollection about when this blood drive may have occurred.
A. No, I'm sorry.
Q. Do you think it was 2002.
A. No, I don't, because Gavin came back, and when he came back, I hardly recognized him, because he looked so much better. Because before, he was so thin and so frail. So I joked around about that with him, but I don't think it was in December of 2002 when the blood drive was.
Q. When do you think it was, if -- if you know. 2601

A. I don’t remember. I really don’t.
Q. Were you involved in that blood drive.
A. No. They needed O negative blood, not AB.
I thought it was O negative.
Q. But your understanding was that Michael
Jackson had organized a blood drive for Gavin at
Neverland, right.
A. Yeah, he did.
Q. Were you involved in helping set that up.
A. No. I remember I had school at that time,
too, so I couldn’t be there for that.
Q. Were you there for any of that blood drive.
A. No.
Q. To your knowledge, were other employees at
Neverland participating in helping set up a blood
drive.
A. I don’t know if the employees did or not,
but, I mean, I’m sure they probably made food for
the people to eat, and the employees would have
helped that way, and set up the tent and got
utensils to eat and that kind of thing.
Q. So there was a tent set up for the blood
drive for Gavin.
A. I believe so, if I remember correctly. Not
that I saw it, but I heard.
THE COURT: Counsel, let’s take our break.
MR. MESEREAU: Yes, Your Honor.
(Recess taken.) 2602

THE COURT: Counsel.
MR. MESEREAU: Thank you, Your Honor. Oops.
Thank you, Your Honor.
Q. Are you enjoying this.
A. Yes.
Q. Okay. We'll keep going, then.
All right. When you first started working
at Neverland, did you go through a training-type
program.
A. My supervisor trained me.
Q. And who was that.
A. Gayle Goforth.
Q. Okay. And what did the training consist of.
A. Just taking me around and showing me what my
duties would be.
Q. Okay.
BAILIFF CORTEZ: They can't hear.
THE WITNESS: Is that better.
MR. MESEREAU: Pardon me.
BAILIFF CORTEZ: That's fine.
Q. BY MR. MESEREAU: Okay. And has your job
changed during the time you were working at
Neverland.
A. Basically stayed the same.
Q. Okay. Did you go through any other training
programs while you were at Neverland.
A. We did CPR training.
Q. Okay. 2603

A. Otherwise not for the job, no, not that I can think of.
Q. Okay. You were interviewed by the Santa Barbara sheriffs a couple of times, right.
A. Yes.
Q. And they asked you if you were aware of the Arvizos feeling that they were confined at Neverland and couldn't leave. Do you remember that discussion.
A. Yes.
MR. AUCHINCLOSS: Objection; hearsay.
THE COURT: I don't remember that discussion. You asked her, but -- I'll sustain the objection.
Q. BY MR. MESEREAU: Do you recall, in your interview with the Santa Barbara Sheriffs, discussing the question of whether or not the Arvizos were free to leave Neverland.
A. Yes.
Q. But you basically laughed at the idea, didn't you.
MR. AUCHINCLOSS: Objection. Calls for a conclusion; no foundation
THE COURT: Argumentative. It's sustained.
Q. BY MR. MESEREAU: Didn't you tell the sheriffs, "How hard is it to leave. Just walk".
MR. AUCHINCLOSS: Objection. It's argumentative; calls for a conclusion.
THE COURT: Overruled. 2604

You may answer. Do you want that question read back.
THE WITNESS: Yes, sir, please.
(Record read.)
THE WITNESS: Yes, something along those lines.
Q. BY MR. MESEREAU: Okay. And in your opinion, the idea that they would be confined, confined at Neverland, is ridiculous, right.
MR. AUCHINCLOSS: Objection. Argumentative; calls for a conclusion; no foundation.
THE COURT: Sustained.
Q. BY MR. MESEREAU: In your police interview, or, excuse me, one of them -- actually, it's the sheriffs. In your sheriffs' interview, you described the Arvizo children as destructive, didn't you.
A. Yes.
Q. You were asked questions about Mr. Jackson's relationship with the Cascio family in your sheriffs' interview, right.
A. I can't remember, but I'm sure you'll tell me if I did.
Q. And you indicated that Michael was a close friend of the entire family, right.
A. Yes.
Q. Including the parents and the children, the boys and the girl, right. 2605

A. Yes.
Q. Okay. Now, the prosecutor for the government asked you some questions about other young boys, as he put it, that Mr. Jackson knew through the years, right.
A. Yes.
Q. And would you agree that, like most people, Mr. Jackson sometimes became a closer friend of some families rather than others, correct.
A. Yes.
Q. And the so-called “young boys” the prosecutor referred to would come with their families, correct.
A. Yes.
Q. In fact, Jimmy Safechuck was married at Neverland, wasn’t he. Do you remember that.
A. I didn’t even know he was married.
Q. Okay. McCaulay Culkin’s family would come, right.
A. Yes.
Q. Did it seem -- let me rephrase that. You’ve said that during the time you’ve worked at Neverland, thousands of children have visited, right.
A. Yes.
Q. But certainly there are families that Michael Jackson, in your opinion, was closer to --
A. Yes. 2606

Q. -- than others, right.
A. Yes.
Q. There are friendships he's developed through the years which seem to have lasted for many years, correct.
A. Yes.
Q. And like any other human being, some families would visit periodically, rather than others, right.
A. Yes.
Q. There would be many celebrity-type visitors to Neverland from time to time, right.
A. Yes.
Q. You would see the Brandos.
A. Yes.
Q. Who else would you see.
A. Elizabeth Taylor. Chris Tucker. I think Chris Rock was there. I don't know the names of the basketball players.
Q. And did the people you just identified seem to be close friends of Michael Jackson.
A. I wouldn't -- as far as I could say, I don't think that all of them were close friends, but some of them were, I think.
Q. And from time to time, there would be various functions at Neverland, right.
A. Yes.
Q. And, for example, you would see tents put up 2607

for a special event, right.
A. Uh-huh.
Q. Please tell the jury what special events you recall seeing at Neverland.
A. Weddings, birthday parties, that kind of things.
Q. Would you get involved in those events.
A. Serving and cleaning, yes.
Q. Okay. Okay. Is that something you looked forward to.
A. No. I still don't.
Q. All right.
(Laughter.)
Q. BY MR. MESEREAU: Would it typically vary from month to month how many functions, as you described, would take place.
A. Yes, it would vary.
Q. And sometimes you would have hundreds of visitors for these functions, right.
A. Yes.
Q. And where would all these people park.
A. They would park down by the amusement park. It depends on where the tent was set up. Or they would park in front of the gates that are inside Neverland with a big sign that says "Neverland" over it. There's a new parking lot there.
Q. And would you agree that most people who visit Neverland like to walk through the main house, 2608

don’t they.
A. Walk through the main house.
Q. If they can.
A. Yes.
Q. They like to see all the artwork and the antiques and the way Michael Jackson has decorated his home, correct.
A. Yes.
Q. And isn’t it typical that visitors will make a request, “Can we see the main house.”
A. Sometimes they have, yes.
Q. And is it your understanding that quite often Mr. Jackson will allow someone to take them through.
A. Yes.
Q. He allows that a lot, doesn’t he.
A. Yes.
Q. Sounds like you don’t think he should, right.
A. No.
Q. Do you think he’s too nice to a lot of people who visit Neverland.
A. Sometimes, yes, I -- sometimes I got a little concerned, but it’s not my place.
Q. Okay. You thought he was being too generous and nice to visitors, right.
A. Yes. And sometimes -- yes.
Q. Okay. When did you notice the Arvizo 2609

children becoming so destructive.
A. Towards the end of their stay, in the beginning of 2003.
Q. The beginning of 2003.
A. Yeah, towards the end of their stay in the beginning, 2003.
Q. Did you make any complaints other than the one you just described.
A. Not that I can remember, no.
Q. Okay. Okay. Now, I was asking you a question, and I think I got sidetracked a little bit. It had to do with the availability of alcohol in the kitchen. Remember that question.
A. Yes.
Q. And isn't alcohol found in the kitchen from time to time.
A. Yeah, I think by the sink to the left, there was a cabinet that did have some alcohol in it.
Q. And that generally wasn't locked, right.
A. No.
Q. Would you find alcohol once in a while in the refrigerator unit, you know, with the see-through glass.
A. Yes. We would put that in there.
Q. Going back to these functions that go on at Neverland, sometimes Mr. Jackson isn't even there, right.
A. Yes, sometimes he's not there. 2610

Q. So there will be a function for hundreds of people, there will be a tent, there will be staff, there will be food, there will be parking privileges, and Mr. Jackson won't even be at Neverland, right.
A. Yeah, that's right.
Q. Now, you never saw Mr. Jackson give alcohol to a minor, did you.
A. No.
Q. And when you said that you saw three kids at the table one time that you were concerned might be intoxicated, you never saw Mr. Jackson give them anything.
A. No.
Q. Now, are you aware -- excuse me. Let me just limit this to a time period. Let's say 2002, 2003. You were aware that Mr. Jackson had some medical problems from time to time, correct.
A. Yes.
Q. And you would see his doctor, for example, come to Neverland once in a while, right.
A. Yes.
Q. And you were aware that he needed injections.
A. Yes.
Q. And he would, at times, have a reaction to those injections; do you remember that.
MR. AUCHINCLOSS: Objection; foundation. 2611

THE COURT: Sustained.
Q. BY MR. MESEREAU: When you said -- you used the term “Pinnochio’s Pleasure Island” in response to the government prosecutor. Were you suggesting that you thought Michael Jackson himself should supervise kids more personally.
A. No, I don’t think that he should. I mean, how could he supervise that many children. There needed to be more people to supervise them, or their parents.
Q. So were you -- excuse me. Let me rephrase it. Were you meaning to be a little more critical of their parents when you talked about kids being out of control.
A. Well, yes, that too. Because some kids -- I mean, well, some parents won’t discipline even their own children, so sometimes the parents didn’t even help. But I think it’s just sometimes the character of the person, too, because some of them were just crazy.
Q. Yeah. Did you ever voice your concerns that parents should be paying more attention to their kids at Neverland.
A. I might have, over the years, to some of my co-workers. But I can’t think of anything right now.
The thing that really worried me that I can say that I thought about, too, is that there’s a 2612

lake there. And I worried more about the lake than I did about the pool. If you leave these children unsupervised, I mean, they could fall in the lake. And that's just always what concerned me more.
Q. And you would see lots of children that you thought should be better supervised at Neverland during periods when Michael wasn't even there, right.
A. Yes.
Q. And your understanding was he had allowed people to bring children to Neverland, enjoy the premises, and when he wasn't even around, right.
A. Yes.
Q. When that would happen, was it your understanding that Mr. Jackson was relying on the Neverland personnel to try and supervise or keep control.
MR. AUCHINCLOSS: Objection. Foundation. Personal knowledge as to what Mr. Jackson knew.
THE COURT: Overruled.
You may answer.
THE WITNESS: I'm sorry, could you say that again.
MR. MESEREAU: Yes.
Q. When large numbers of children would visit Neverland with whoever came with them --
A. Uh-huh.
Q. -- and Mr. Jackson was not there, was it 2613

your understanding that Neverland staff or employees were supposed to supervise.
A. Yes, to some degree. And sometimes there was some children that got really out of control. Like, for instance, I think sometimes we would put the golf carts away or put the quads away, because some of them just -- they would probably have been a danger to themselves. So in that way, we did take a little bit more authority, probably, than we should have sometimes, but --
Q. When you say you would take authority, do you mean that you would sort of, in your mind, substitute for a parent almost.
A. Yeah. Sometimes, I think, yes.
Q. And are you talking about situations where, say, a lot of kids would come on buses, say, from the inner city, and in your opinion there would be too few adults taking care of them.
A. Typically those seemed to be better supervised than the kids that were left at Neverland without their parents.
Q. Right.
A. Because if Mr. Jackson wasn't there and their parents weren't there, it kind of would fall on us, and --
Q. Okay. Were there rules and procedures in effect at Neverland.
A. Somewhat, yes. 2614

Q. And were they written up, to your knowledge.
A. As far as -- well, there was an employee handbook.
Q. And to your knowledge, did the employee handbook discuss what to do in situations where you had visitors.
A. I can't remember. Sorry.
Q. When is the last time you looked at that handbook.
A. Probably '92, '93.
Q. Okay. That was quite a while ago. All right.
Now, in your interviews with the Santa Barbara Sheriffs, you often described Mr. Jackson as acting like a big kid.
A. Yes.
Q. But he seemed to enjoy playing with kids, right.
A. Yes.
Q. He seemed to enjoy the whole spirit of Neverland being to have fun with kids, right.
A. Yes, the whole thing of eating too much candy and riding the rides to get sick.
Q. Did you see Mr. Jackson do that.
A. No, I'm not saying that he did that, but I'm saying that's the idea.
Q. Did you see Mr. Jackson eat a lot of candy.
A. Sometimes. 2615

Q. How about on the rides.
A. No, I didn't see that.
Q. When did you last work at Neverland.
A. September of 2003.
Q. Okay. So you worked for, what, 12 years or so.
A. Off and on, yeah.
Q. Off and on.
A. Off and on.
Q. Okay. You never saw the Arvizo kids look like they were intoxicated, did you.
A. No. I don't remember them specifically being intoxicated. I don't.
Q. You don't remember you looking at their behavior and saying to yourself, "They look intoxicated to me," right.
A. Yeah, no, they --
Q. That never happened, right.
A. No, I didn't really ever pay attention.
Q. Okay.
A. So I don't know.
Q. But just based on the times you were there, and the work you did and what you saw, you don't recall ever seeing Gavin Arvizo, Star Arvizo, or Davellin Arvizo intoxicated, right.
A. Well, like when Star put the knife in my back, I mean, was he intoxicated. I don't know. Was he just playing around. I don't know. So -- 2616

Q. Let me just rephrase it, then.
To the best of your knowledge, during the
time you observed the Arvizo children at Neverland,
you never thought they were intoxicated, right.
A. I didn't think so, no.
Q. Okay. Did you ever, in your mind, smell
alcohol on the Arvizo kids.
A. No. I never paid attention.
Q. Okay. Now, you mentioned a party in August
of 2003, right.
A. Yes.
Q. And that had something to do with Schaffel,
right.
A. Yes.
Q. Was it your understanding that Schaffel
hired special staff for that party.
A. I knew that he was doing something with it.
If he hired somebody, I don't remember. But I know
that there was a lot of volunteers working there.
Q. People that normally didn't work at
Neverland.
A. Yes.
Q. Okay. And was it your understanding that
Schaffel was trying to promote a particular artist.
A. I don't know that.
Q. You don't know what the purpose of the party
was, right.
A. It was a birthday party, and I didn't quite 2617

ever figure it out.
Q. Okay. You don't know if Schaffel, for example, was promoting tickets on radio stations in Los Angeles, do you.
A. No. But I remember a radio station being there, I think, yeah. But I don't know what the whole purpose was.
Q. Was it a Los Angeles radio station, if you know.
A. I can't remember.
Q. Okay.
A. I think it was, though, when I think back. I want to say it was KISS FM, but I'm not sure.
Q. Was it your understanding that more people showed for that party than the staff at Neverland anticipated.
A. Yes. That was typical.
Q. Typical of parties.
A. Yes.
Q. Now, when you're planning a party -- excuse me, let me rephrase that.
When a party is going to take place at Neverland, how does the word get out to the staff.
A. It depends on how big it is or if there's going to be a caterer. I mean, there's -- there's different ways that we would find out.
Q. Is a memorandum, for example, a memo --
A. Yes. 2618

Q. -- typically generated.
A. Not -- I don't want to say "typically," but it has been, or else it was communicated verbally from a supervisor.
Q. And would a supervisor typically come to someone like you and say there's going to be a big event on such and such a date at such and such a time.
A. Yes.
Q. And would you be asked to contribute in some way.
A. Yes.
Q. And were your jobs at these events typically the same or did you have different things to do, depending on the event.
A. Cleaning and serving.
Q. Okay. And where would all the food typically be cooked.
A. It depends on if there was a caterer or not. Sometimes it could be done at the barbecue area. Sometimes in the kitchen. Or if there's a caterer, they could cook it outside. Or there was a barbecue out by the theater. So there was different places.
Q. Do you remember, in February of 2003, a number of entertainment executives from New York visited Neverland.
A. Oh, guy, I remember there was some special guests, but I don't remember who. 2619

Q. Do you remember Ed Bradley from --
A. 60 Minutes.
Q. Yeah.
A. Yes.
Q. You do remember him coming.
A. Yes.
Q. Do you know approximately when that was.
A. No. I can't say. I think it was after the documentary aired.
Q. Do you know if the Arvizos were visiting at that point in time.
A. I think they were.
My stomach's growling. I'm sorry.
(Laughter.)
JUROR NO. 8: Do you want some candy. Do you want some.
THE WITNESS: I have some. Thank you.
BAILIFF NARRON: You can't do that, ma'am.
Q. BY MR. MESEREAU: Did you speak to Mr. Bradley.
A. No, I don't think he spoke directly to me.
Q. Okay. Do you remember who he was with.
A. Other camera people. The crew. I think there was some other -- somebody else from 60 Minutes that was there, too.
Q. Did you ever meet a Mr. Jack Sussman, for example.
A. I can't remember. 2620

Q. Okay. Did you see Mr. Bradley walking around the property.
A. I remember him being in the kitchen. And I remember serving him lunch or setting out the food, a buffet for them.
Q. And where was the buffet.
A. In the kitchen, on the -- what do you call it. A bar.
Q. So Mr. Bradley and whoever he was with were in the main house, right.
A. Yes.
Q. And you don't know what time of day they were in there, do you.
A. No, but I want to say it was 11:00, 12 o'clock, something like that, 1:00.
Q. Okay. And one of your responsibilities was to prepare a meal for them.
A. No, I didn't have to cook it. I would just have to help serve it and -- yeah.
Q. And were they eating at the main dining table.
A. Um, I think -- I know they ate in the kitchen. And they might have eaten at the dining table also, but I don't remember.
Q. Okay. Do you recall Gavin and Star Arvizo visiting Neverland with their father David.
A. You know, in the back of my mind, I do. But I don't remember anything specific about them being 2621

there.
Q. Okay. Do you have more of a memory of their being there with their mother.
A. Yes.
Q. And your memory of the Arvizo children being at Neverland with their mother is in primarily 2003; is that right.
A. Yes.
Q. Do you recall if you observed Janet Arvizo supervising her children while they were staying at Neverland.
A. What do you mean by “supervising”.
Q. Well, do you recall if Janet was -- appeared to be keeping tabs on her children at Neverland.
A. She stayed in her room a lot.
Q. But you said you would see her in the main house, right.
A. Yeah, when she went to go eat, or pick up her clothes from the laundry room, or --
Q. Would you see her in the main house with her children.
A. Yes.
Q. Did you see her in the main house with her children often.
A. In the evenings she would mostly be there.
Q. In the main house.
A. Yes.
Q. Okay. And what would you see Janet Arvizo 2622

doing in the main house in the evenings at Neverland during 2003.
A. Eating dinner. Sitting with the kids. Playing a game that was on the counter in the kitchen. Just being with the kids.
Q. As best you can recall, would you see her spend hours in the main house at night.
A. I don't want to say "hours," but she'd probably spend a couple hours there. I was always so busy working, I didn't really pay attention to what really the guests were doing.
Q. Did Janet Arvizo, in your opinion, tend to have her evening meal in the main house.
A. As far as I can remember, yes, is what I would say, yes.
Q. And would she typically eat with her children.
A. I don't want to say typically eat with them, because they might eat at different times.
Q. But I guess what you're saying is, you served her quite often, didn't you.
A. Yes.
Q. Now, in the main house, when a guest comes to eat, there often is a menu on a blackboard, right.
A. Yes.
Q. And the menu will say what's being served that day, right. 2623

A. Yes.
Q. And it could be breakfast, lunch or dinner, right.
A. Yes.
Q. And was it your understanding that Janet Arvizo would decide each day what type of food she wanted.
A. Well, if it wasn't written on the blackboard, you know, the chefs or we would tell them what we had for dinner that night.
Q. And while the Arvizos were there, they would essentially give you their order, right.
A. Yes, I remember taking the order from the Arvizo kids at the dining room table. More often than not, they would eat in there. For a while, anyway.
Q. When you saw the Arvizo kids eating with their mother, was there often anyone else at the dining -- excuse me. Let me rephrase that. When you would observe the Arvizo children eating with their mother in the main dining room, did you often see Michael there.
A. No, not typically.
Q. Would you typically see someone else having dinner with them.
A. With the Arvizo kids.
Q. Yes.
A. Well, the Cascio kids were there for a while 2624

when the Arvizos were there, and they would all eat dinner at the dining room table. And Gavin's mom wouldn't be at the dinner table, and neither would Mr. Jackson, for a while there.
Q. And where would you -- excuse me. Where would Janet Arvizo typically eat if she wasn't at the dining room table.
A. At the table in the kitchen area, or like at the bar.
Q. Would you please describe for the jury what you mean by "the bar" area.
A. It's just a place where you have like barstools, where you have the long counter, and there's just barstools sitting there. And it has an arch with bricks over it, and it's right there by the kitchen.
Q. That bar area is not far from the main dining room, right.
A. No, it's not too far.
Q. And typically if you go there any time of day, you see some seats at the bar area, right.
A. Uh-huh.
Q. And 24 hours a day, you'll see glass dishes with various buns and --
A. Oh, yeah.
Q. -- doughnuts that were made for the day, right.
A. Yes. 2625

Q. And Mr. Jackson lets people go in there anytime and pick up a doughnut and take it with them, right.
A. Yes.
Q. And that refrigerator area is typically open, right.
A. Yes.
Q. Guests can walk in there and get juice or water or whatever they want to, right.
A. Yes.
Q. And you would see Janet in that bar area quite often; is that correct.
A. Yeah, that's where I remember her eating, would be there.
Q. Would she sometimes eat before her children ate in the main dining room.
A. I can't say if it was before or after. But for a while there, she wasn't eating with them.
Q. But you also saw her eat with them from time to time, didn't you.
A. Yes, she had, too. I think that the reason why they were eating in the dining room, the kids, was because the Cascio kids were with them, and they were the ones that were eating in the dining room. But later on, she would eat in the breakfast -- or the breakfast nook or the bar with her kids.
Q. When you say "breakfast nook," would you see Janet eating breakfast in the main house. 2626

A. I really didn't --
MR. AUCHINCLOSS: I'm going to object as cumulative. Relevancy.
THE COURT: She already said she didn't work in the mornings. Next question.
MR. MESEREAU: Okay.
Q. Would it be accurate to say that Mr. Jackson seemed a lot closer to the Cascio children than the Arvizo children.
A. He's known them a lot longer, I think, so I think that he's formed more of a bonded relationship with them.
Q. Did it appear that when the Cascio children were at Neverland and the Arvizo children were at Neverland, that Michael Jackson would spend more time with the Cascio children than the Arvizo children.
A. Yes.
Q. You indicated you remember the Cascio children having food in Michael Jackson's bedroom, right.
A. If that's what it was, yes.
Q. And when you say "bedroom," you're talking about this part of the house that has two levels, right.
A. Yes.
Q. You go through a door and there's a bottom level -- 2627

A. Uh-huh.
Q. -- right.
And then you can go up the stairs to an upstairs level, right.
A. Yes.
Q. And you've seen the Cascio children on both levels, right.
A. Well, the only other time that I've really been in his bedroom is when he wasn't home, to help move furniture or to put something in his room. So I was only upstairs in his bedroom that one time when the Cascio kids were there when I was serving dinner, and that was the only time.
Q. And to your knowledge, they visited Neverland for years, right.
A. Yes.
Q. They've been visiting Neverland since you first started work, right.
A. Yes.
Q. Do you know the father, Dominick.
A. Yes.
Q. Have you seen him there often.
A. Yes. Not as much as the children, but he was there often.
Q. Did you meet with any prosecutor to talk about what you were going to say today.
A. I spoke with them about coming here, yes.
Q. And when was that. 2628

A. Yesterday.
Q. Who did you speak with.
A. Mr. Auchincloss.
Q. Was it by phone.
A. No.
Q. Did you have a meeting with him.
A. Yes.
Q. And where did the meeting take place.
A. At my house.
Q. Okay. And did Mr. Auchincloss come to your house.
A. Yes.
Q. Did you have a meeting with him.
A. Yes.
Q. How long was the meeting.
A. An hour or two. Two hours.
Q. Was anyone else there.
A. Detective Alvarez.
Q. Okay. Did Mr. Auchincloss give you anything to read.
A. No.
Q. Did you talk about what you'd be asked today.
A. Yes.
Q. And did he tell you what questions he was going to ask.
A. Just kind of gave me a guideline about where everything was going to go. 2629

Q. Did you discuss with him what your responses to the questions might be.
A. Yes.
Q. Did Mr. Auchincloss give you any suggestions --
A. No.
Q. -- about how to phrase things or anything like that.
A. No, no, no, no.
Q. So he would ask you questions and you would just tell him what your answer was, right.
A. Yeah.
Q. And it went an hour or two.
A. Yeah.
Q. Okay. How many meetings have you had with Mr. Auchincloss.
A. Two.
Q. And when was the first meeting, other than the one you just described.
A. Probably around January.
Q. Okay. And where did that take place.
A. My house.
Q. How long did that meeting last.
A. Two hours.
Q. Okay. Did Mr. Auchincloss give you anything to read.
A. No.
Q. Have you ever been sent anything to read 2630

about this case from either the sheriffs or the prosecution.
A. No. I think that I -- I don't know if I saw a copy of my testimony or something. I think I saw that.
Q. Did you. Okay.
A. I think.
Q. Do you know where you got that. Did somebody give it to you.
A. No, nobody gave it to me. I just saw it.
Q. Okay. We're almost there.
A. Okay. Thanks.
THE COURT: From now on, on your subpoenas, I want you to put "Bring an energy bar."
(Laughter.)
MR. MESEREAU: Okay. All right. I think we're done.
THE WITNESS: Okay, great.
MR. MESEREAU: Just one second, if I can. I'm going to backtrack for a second. May I, Your Honor.
THE COURT: Go ahead.
Q. BY MR. MESEREAU: Where is the ranch house.
A. Probably like a half a mile or a mile away from the main house.
Q. And please describe for the jury what the ranch house looks like.
A. It's just an older home that I think was 2631

there before the main house was built. And it's --
it has two bedrooms, and two bathrooms, and a living
room.
Q. And do guests sometimes stay at the ranch
house.
A. Certain guests, yes.
Q. Do employees sometimes stay at the ranch
house.
A. Yes, they have.
Q. You don't often see Mr. Jackson at the ranch
house, do you.
A. No. He's been there, but he doesn't really
stay there.
Q. Did you ever see the Arvizos there.
A. Not that I can remember.
MR. MESEREAU: Okay. Thank you.
THE WITNESS: Okay.
THE COURT: Counsel.

REDIRECT EXAMINATION
BY MR. AUCHINCLOSS:
Q. Miss Fournier, did you ever deliver food to
Mr. Jackson at the ranch house.
A. Yes.
Q. On how many occasions.
A. Well, I don't know if he was there. I know
that Joey was there, and he called to get some food
to be delivered to the ranch house. 2632

Q. Okay. Did you take the call.
A. I don’t remember if I took the call or not,
but -- or somebody told me, but I brought the basket
of food down there.
Q. Do you know -- what were your instructions
as far as this basket of food goes.
A. To take some munchies down to the ranch
house.
Q. On that day that you took some munchies to
the ranch house, did you see Mr. Jackson in the
presence of children after that period.
A. Yes.
Q. Did any of those children appear to be
intoxicated.
A. Yes.
Q. Do you remember which -- what their names
were.
A. I think Joey was there at the table.
Q. What’s -- do you know Joey’s last name.
A. No.
Q. Okay.
A. And there was -- I don’t remember their
names right now.
Q. Okay. Were any of these children local
children from the local community.
A. Yes.
Q. Do you know what town they’re from.
A. I think Los Olivos. 2633

Q. Do you remember any of their names.
A. I can't think of any of them right now.
Q. All right. You talked about the fact that there were certain -- there was a certain amount of excess at Neverland with children.
A. Yes.
Q. How long did that go on during your period of employment. How long was it that you felt that children were allowed -- didn't have boundaries.
A. Well, the first day that I got there, there was silly string all over the inside of the house, so I don't know if you would consider that, but -- no boundaries, but just something like that.
Q. Have you ever seen Mr. Jackson intoxicated.
MR. MESEREAU: Objection; foundation.
THE COURT: Overruled.
You may answer.
THE WITNESS: I don't know if he was intoxicated or he was under a doctor's orders taking medication. I don't know.
Q. BY MR. AUCHINCLOSS: All right. My question goes to intoxicated by any substance, regardless of what. Did he ever appear to be under the influence of some substance.
A. Yes.
Q. Did you ever see him where he appeared intoxicated in the presence of children who appeared intoxicated. 2634

A. I can’t say for sure on that one.
Q. If you have an opinion, I’d like to know it.
MR. MESEREAU: Objection; asked and answered.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: You said you can’t say for sure. Why is that.
MR. MESEREAU: Objection; asked and answered.
THE COURT: Overruled.
You may answer that.
THE WITNESS: Well, that one time at the table, I remember him appearing like he might be intoxicated when I was serving.
Q. BY MR. AUCHINCLOSS: All right. When the other children were also intoxicated.
A. I believe some of them were, yes.
Q. Yes. The three children that you mentioned.
A. Yes.
Q. Did Janet Arvizo ever have food delivered in her room.
A. Yes.
Q. When the Cascio children were there, did they spend time with the Arvizo children.
A. Yes.
Q. Would the Cascio and Arvizo children spend time together with the defendant.
A. Yes. 2635

Q. Do you believe that Neverland is a healthy place for children.
MR. MESEREAU: Objection; improper opinion.
MR. AUCHINCLOSS: Based on every -- well, I can finish the question, add a little to the question.
THE COURT: You may finish your question.
MR. AUCHINCLOSS: All right.
Q. Based on everything you've seen there -- you've talked somewhat extensively on cross and direct about these boundaries, and about children misbehaving, and authority, that kind of thing. Based on everything you've seen and know about Neverland during your period of employment there, do you believe this is a healthy place for children, healthy environment.
MR. MESEREAU: Objection. Improper opinion; no foundation; relevance; 352.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Would you allow your own children to stay at Neverland.
MR. MESEREAU: Objection. Relevance; improper opinion; 352; foundation.
THE COURT: Relevance; sustained.
Q. BY MR. AUCHINCLOSS: How far is it from the main gate of Neverland to the main residence.
A. I'm really bad on distances, but a mile, mile and a half maybe. 2636

Q. And how far is it from the main gate to the nearest town.
A. Five miles.
Q. You mentioned that there were visitors that Mr. Jackson would invite into his house, and that was somewhat common; is that fair to say.
A. Yes.
Q. Okay. Would he invite these visitors who came into the house, typically would he invite them into his bedroom suite.
MR. MESEREAU: Objection; foundation.
Q. BY MR. AUCHINCLOSS: If you know.
THE COURT: All right. Answer “yes” or “no” if you know whether or not visitors were invited.
THE WITNESS: Yes.
Q. BY MR. AUCHINCLOSS: You do know.
A. Yes.
Q. Would they spend time in his bedroom suite.
A. Yes.
MR. MESEREAU: Objection. Foundation; 1108.
MR. AUCHINCLOSS: That’s fine. I’ll move on.
THE COURT: I’ll overrule the objection and limit the questions in that area based on your objection.
MR. AUCHINCLOSS: Okay.
Q. You can go ahead and answer that question.
THE COURT: She did. 2637

MR. AUCHINCLOSS: Thank you.
THE COURT: The answer was “Yes.”
Q. BY MR. AUCHINCLOSS: You mentioned the phrase “wild boys.” Can you tell me what you mean by that.
A. When the children were unsupervised, they frequently became wild.
Q. And this supervision issue or the fact that children would become problematic in their behavior, was that known to Mr. Jackson based upon -- well, let me back up.
Did the children’s misbehavior occur in Mr. Jackson’s presence.
A. No.
Q. Was he aware that they would destroy things at Neverland.
MR. MESEREAU: Objection; calls for speculation.
THE COURT: Foundation; sustained.
Q. BY MR. AUCHINCLOSS: Do you know if Mr. Jackson was made aware of the destruction of golf carts, things of that nature, at Neverland.
A. Sometimes I think he was, because he would notice that things were broken or things were missing. So sometimes, yes.
Q. The families of -- you mentioned on cross-examination that the list of boys who were special friends of Mr. Jackson, you said that their 2638

1 families would stay at Neverland; is that true.
2 A. Yes.
3 Q. Would any of those children on that list
4 stay at Neverland by themselves, without their
5 families.
6 A. Yes.
7 Q. Do you recall which ones.
8 A. Brett Barnes did. Elijah did. Little
9 Michael did. Is that enough.
10 Q. Well, I can just -- I can make this simple.
11 I can go down the list. Frank Cascio.
12 A. Yes.
13 Q. How about his brother Aldo.
14 A. Yes.
15 Q. McCaulay Culkin.
16 A. Well, as an adult he was there alone. But
17 when he was a child, I pretty much remember his
18 parents being there when I was there.
19 Q. Brett Barnes.
20 A. He would come alone sometimes.
21 Q. Elijah.
22 A. Yes.
23 Q. Gavin.
24 A. I remember Gavin always having his mom.
25 Q. Okay. How about the Los Olivos boys that
26 you've talked about.
27 A. They would be there without their parents.
28 Q. Jimmy Safechuck. 2639

A. I think he did come a couple times without his parents.
Q. Wade Robison.
MR. MESEREAU: Objection; 1108.
THE COURT: Sustained.
MR. AUCHINCLOSS: I believe it's a follow-up to counsel's question. But I'll move on.
Q. You said that you had a conversation with Frank about being an employee.
A. Yes.
Q. Did he tell you who he was an employee of.
A. No. I just assumed it was Mr. Jackson.
Q. Was he working at Neverland Ranch at the time.
A. Yes.
Q. What time period was this.
A. I don't remember. I'm sorry.
Q. Okay. Do you know if it was in the 2003 -- the year 2003.
A. No, it was before that. I want to say about like 2001 or 2002.
Q. You said that Frank and Vinnie had desks set up in the video library.
A. Yes.
Q. When was that.
A. Oh, boy, I don't remember. I don't remember.
Q. But it was the period of time -- do you know 2640

if it was the period of time when the Arvizos were there.
A. Well, the desks were up there then, yes.
Q. Do you know if Frank and Vinnie were working at those desks during the period of time that the Arvizos were there.
A. I believe so, yes.
Q. Do you know who Frank was working for at that time.
A. Like I said, I assume it was Mr. Jackson.
Q. You said that busloads of kids would come to visit Mr. Jackson at Neverland, or visit Neverland, I should say.
A. Yes.
Q. Was Mr. Jackson there typically, when the busloads of kids would be there.
A. Not typically, but sometimes he was.
Q. Would those children spend the night.
A. Not the busloads of kids, no.
Q. Okay. So was there a difference between the kids that would be guests and children who would just come up in a busload.
A. Somewhat, yes.
Q. Was there a difference in the behavior of the children who were guests of Mr. Jackson than the behavior of the kids in the busloads.
MR. MESEREAU: Objection; vague.
THE COURT: Sustained. 2641

Q. BY MR. AUCHINCLOSS: As far as Mr. Jackson leaving the ranch, you said that would be a frequent occurrence.
A. He did every once in a while. And sometimes we knew when he left, and sometimes we didn't.
Q. Was there a difference in the attitude and behavior of the employees when Mr. Jackson was on the property.
MR. MESEREAU: Objection; vague.
MR. AUCHINCLOSS: She's an employee. I think she's qualified to answer it.
MR. MESEREAU: Relevance.
THE COURT: The objection is overruled.
You may answer. Do you want the question read back.
THE WITNESS: That's okay. I think I got it.
THE COURT: You think you got it.
THE WITNESS: We would always try to be on our absolute best behavior when Mr. Jackson was home.
Q. BY MR. AUCHINCLOSS: And why was that.
A. Because we were supposed to, too, and because, you know, nobody wants to get fired.
Q. You said that Gavin always treated you with respect.
A. Yes.
Q. You were asked a question about did the Arvizo boys crash any carts, and then your answer 2642

was, “All of them crashed carts.” What did you mean by that.
A. All the kids that stayed as guests. I mean, I can’t think of anybody that would be exempt from crashing of the carts.
Q. So that would be a destructive behavior of all the kids that stayed.
MR. MESEREAU: Objection; leading.
MR. AUCHINCLOSS: I’ll withdraw it.
Q. You said that Star Arvizo pulled a knife on you in the kitchen.
A. Yes.
Q. All right. Did you feel threatened.
A. No.
Q. You’re smiling.
A. Well, I mean, I didn’t feel comfortable about it. Who wants a knife in your back, you know, but --
Q. Was it your impression that Star was joking with you.
A. Yes. I thought he was joking and trying to assert some sort of authority.
Q. All right. He didn’t hurt you with the knife.
A. No.
Q. And didn’t -- what did you say in response to him.
A. “You’re going to have to catch me first.” 2643

Q. So did you feel like you were joking back to him when you said that.
A. Yeah, I was --
MR. MESEREAU: Objection; leading.
THE COURT: You may answer the question. You started to answer it. Go ahead.
THE WITNESS: Okay. Well, I didn't like it, so --
Q. BY MR. AUCHINCLOSS: When you said that, did you feel like you were joking back.
MR. MESEREAU: Objection. Leading; mischaracterizes the testimony.
THE COURT: Well, it's asked and answered.
Q. BY MR. AUCHINCLOSS: Well, did you run afterwards. That's the --
A. No.
Q. So you weren't serious when you said that.
MR. MESEREAU: Objection; leading.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Were you serious when you said that.
A. Well, if he would have chased me, yes.
Q. But did he chase you.
A. No.
Q. Okay. As far as the destructive behavior, the problem with the guest unit where the glass was broken, I think you said soda was spilled on the floor -- 2644

A. Uh-huh.
Q. -- do you know when that occurred.
MR. MESEREAU: Objection; asked and
answered.
MR. AUCHINCLOSS: Not by me.
THE COURT: Overruled.
THE WITNESS: It was towards the end of their
stay in the beginning of 2003.
Q. BY MR. AUCHINCLOSS: Okay. Do you have a
distinct recollection of all these events in --
being in the beginning of 2003.
A. With the rooms being a mess, yes.
Q. Fair statement. So do you know, was it --
what shift were you working at that time.
A. Usually the late shift.
Q. So you saw the room in this condition at
what time, approximately.
A. Actually, I think those few times I came in,
the room was a mess, I think that they had actually
left the property, because it was -- it was -- it
was during the day that I had seen that.
So sometimes I would work earlier hours if
there was nobody there, too, so it wasn't required
that somebody would stay late to serve dinner. So I
think those instances would be more during the day
that I remember them, not at night.
Q. Okay. And when you say they were staying in
that unit, what does that mean. 2645

A. That they were sleeping there.
Q. Okay. Do you know that they were sleeping there.
A. No.
Q. Do you have any idea where those children were sleeping on those given nights.
A. No. Because I wasn't there.
Q. Okay. So -- all right. Thank you.
A. Uh-huh.
MR. AUCHINCLOSS: Thank you. No further questions.
MR. MESEREAU: No further questions, Your Honor.
THE COURT: Thank you. You may step down.
THE WITNESS: Okay. Thank you.
MR. MESEREAU: May the witness be subject to re-call.
THE WITNESS: Is it okay if I go.
THE COURT: You're free to leave. The attorney's indicating that they may want to call you back, so that would be if somebody telephones you only. Under those conditions, you would have to come back.
THE WITNESS: Okay. Thank you.
THE COURT: Call your next witness.
MR. SNEDDON: Shawn O'Grady. Your Honor, I would indicate to the Court we're going to go back into the area that we were 2646

exploring yesterday.
All right. We'll do --
THE COURT: Face the clerk and raise your
right hand.

RUBY WOLFF
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and
spell your name for the record
THE WITNESS: Ruby Wolff, W-o-l-f-f.
THE BAILIFF: We have the wrong witness.
MR. SNEDDON: I'm sorry.
THE BAILIFF: This is Ruby Wolff.
MR. SNEDDON: I know that. She was already
here.
THE BAILIFF: You called O'Grady.
MR. SNEDDON: I know. We changed it. She
was already in the courtroom, so --

DIRECT EXAMINATION
BY MR. SNEDDON:
Q. You're employed by the sheriff's department.
A. Yes.
Q. You're going to have to lean into that.
How long have you been employed by the
sheriff's department. 2647

A. Six years.
Q. And what is your present duty assignment.
A. I'm a detective.
Q. And where are you assigned in your detective responsibilities.
A. Santa Maria station.
Q. All right. And back in November 18th of 2003, were you assigned to participate in the execution of a search warrant at Neverland Valley Ranch.
A. Yes.
Q. And specifically what was your duty assignment at that time.
A. I was an interviewer and also a searcher.
Q. And during the course of the time that you were a searcher, did you seize anything at the location.
A. Yes.
Q. And could you tell the ladies and gentlemen of the jury, where was it that you seized the item.
A. It was in the master bathroom in Mr. Jackson's residence.
Q. And specifically what was it that you took.
A. It was a card.
Q. And where was the card located when you saw it for the first time.
A. It was next to a dresser next to a sink in the bathroom. 2648

Q. And what did you do with that card after you seized it.
A. I took it to Detective Padilla.
Q. And he was what we call “the scribe”; is that correct.
A. Yes.
Q. You told him where it was located.
A. Yes.
Q. Where you found it.
Do you have that exhibit with you.
A. Yes, I do.
Q. Let me identify it first.
No, the bag.
Your Honor, I have a brown bag with the number “#310” in the upper right-hand corner in black. And we’ve marked this as People’s 712 for identification purposes.
THE COURT: All right.
Q. BY MR. SNEDDON: Now, would you just remove the item that’s inside the bag. 712. And do you recognize that.
A. Yes, I do.
Q. And was that the item that you seized and gave to Detective Padilla.
A. Yes.
Q. And is it in the same condition as it was at the time that you seized it.
A. Yes, it is. 2649

MR. SNEDDON: All right. Move that 712 be admitted into evidence, Your Honor.
MR. MESEREAU: May I look at it for one second, Your Honor.
THE COURT: Yes.
MR. MESEREAU: Thank you.
No objection, Your Honor.
THE COURT: All right. It's admitted.
MR. SNEDDON: No further questions, Your Honor.
MR. MESEREAU: May I just look at the card, Your Honor.
THE COURT: Yes.
MR. MESEREAU: Thank you.

CROSS-EXAMINATION
BY MR. MR. MESEREAU:
Q. Does -- Detective, is that the --
A. Yes.
Q. Okay. Thank you.
Detective, you found this card where.
A. In the master bathroom.
Q. Okay. And the card says, "I miss you, Daddy Michael," correct.
A. Yes.
Q. Did you read the card when you found it.
A. Yes.
Q. And what did you do after you read the card. 2650

A. Gave it to Detective Padilla.
Q. Okay. Now, this card says the following:
"Dear Daddy Michael. How are you. I can't wait to see you again and play with you at Neverland, because we are going to be best friends and you are my daddy forever," right.
A. Right.
Q. It says, "You are the finest grown-up in the world. I love you, Daddy Michael. And tell my little brother and little sister that I love and care about them. Thank you for everything, Daddy Michael. Thank you for being my Daddy Michael. Thank you for helping me be happy and beat cancer. Happy Daddy's Day, and I love you more. Love, your Doo-Doo Head, Gavin Arvizo," right.
A. Yes.
Q. And then there's a heart and there's print inside the heart that says, "I love my Daddy Michael forever," right.
A. Yes.
Q. And then it says, "P.S.: Please give me your new phone numbers, because I miss talking to you."
And then the writing continues, "My phone number is 626-452-1693," right.
A. Yes.
Q. Now, this card was in the purple envelope, right. 2651

A. Yes.
Q. And the envelope was addressed to “Daddy Michael, from your son Gavin,” right.
A. Yes.
Q. And you see little faces that appear to be sort of written on the envelope, correct.
A. Yes.
Q. Did you ever discuss this card with anyone besides the person you gave it to.
A. No.
Q. Okay. Did you ever see it after you gave it to the person you gave it to.
A. Not up until coming here.
Q. Okay. Okay. Did you know, when you came in here, you were going to be asked questions about this card.
A. Yes.
Q. How did you know that.
A. We were just told to review our evidence.
Q. Okay. Were you told you’re not going to be asked questions about anything else you seized, just the card.
A. That’s the only item I seized.
Q. Okay. So during your search, that was the only thing you actually seized that day.
A. Yes.
Q. All right. Do you recall having a meeting before the search with all of the people involved in 2652

the search.
MR. SNEDDON: Your Honor, she -- I'm going
to object as beyond the scope of direct.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you receive any
direction before you seized this item from anybody.
MR. SNEDDON: Same objection, Your Honor.
It would call for hearsay.
THE COURT: You can answer that "yes" or
"no." You may answer.
THE WITNESS: Yes.
Q. BY MR. MESEREAU: Who did you receive
direction from.
A. We all had a copy of a search warrant.
Q. Did you also have a copy of a Santa Barbara
County Sheriff's Department operations plan.
MR. SNEDDON: Same objection, Your Honor.
Beyond the scope of direct.
THE COURT: Overruled.
THE WITNESS: Yes.
Q. BY MR. MESEREAU: Did you read that
operations plan.
A. Yes.
Q. And approximately when did you read it
before you searched the main house.
A. I don't recall the exact time frame.
Q. And do you know the date that you conducted
the search. 2653

A. Yes.
Q. And what was that date.
A. November the 18th, 2003.
Q. Do you know approximately how many people were involved in that search.
A. Approximately 69 people.
Q. Were they mostly sheriff's personnel.
A. Yes.
Q. Did the 69 people who searched Mr. Jackson's home meet somewhere before the search.
A. Yes.
Q. Where did you meet.
A. I can't recall the exact street.
Q. Did all 69 people arrive at the same time.
MR. SNEDDON: Your Honor, I'm going to object as vague, as to arrive where.
MR. MESEREAU: I'll rephrase it, Your Honor.
Q. Did all 69 people involved in the search of Mr. Jackson's home enter the premises at the same time, to your knowledge.
A. I can't recall. We were all behind one another.
Q. What was your assignment.
A. I was an interviewer and also a searcher.
Q. Were you told specifically where you were going to search.
A. I can't recall.
Q. How did you end up in the room where you 2654

found this particular card, if you know.
A. It was an area that hadn't been searched yet.
Q. And which -- which area was that.
A. In the master bathroom.
Q. And did someone tell you it hadn't been searched yet.
A. Yes.
Q. Who was that.
A. I don't -- I can't recall.
Q. Okay. Were you armed at the time.
A. Yes.
Q. Were the 69 people you mentioned all armed.
A. I don't know.
Q. Okay. Who entered the premises first.
A. I don't know.
Q. Okay. Who else searched the master bathroom.
A. I know Detective Pierce was there. And I don't recall the other detectives that were in there.
Q. Was the area where you found this particular card that says "I miss you, Daddy Michael," was that area videotaped, to your knowledge.
A. Yes.
Q. Did you see it being videotaped.
A. Yes.
Q. Did you arrange for it to be videotaped. 2655

A. No.
Q. Are you on that videotape.
A. Not that I'm aware of. I don't know.
Q. Okay. When you found the card, did you
touch it.
A. Yes.
Q. Did you pick it up.
A. Yes.
Q. Did you read it.
A. Yes.
Q. Did you take it out of the envelope.
A. Yes.
Q. Then what did you do with it.
A. I took it to Detective Padilla.
Q. Was it ever videotaped where you found it,
to your knowledge.
A. Not to my knowledge.
Q. Okay. Now, when the team of 69 people got
together, you got some instructions about what to do
with the media, correct.
A. Not that I can recall.
Q. Do you recall any discussion about media's
going to be at Neverland or watching Neverland
during the search.
A. No.
Q. Do you recall any media being there.
A. I believe there were helicopters above.
Q. Do you know who told the media about this 2656

search with 69 people at Mr. Jackson's residence.
A. No.
Q. But you saw copters everywhere.
A. Yes.
Q. Did you see people with cameras on the ground.
A. As we were driving in, there was, I believe, one cameraperson.
Q. Did you see cameras when you left.
A. Yes.
Q. Did you see media trucks.
A. Yes.
Q. Okay. Now, when these 69 people went on the property, people who worked at Neverland were not free to leave, correct.
A. Correct.
Q. I mean, at some point they were allowed to leave, but for a certain period of time, none of you would allow them to leave the premises, correct.
A. Correct.
Q. Okay. And to your knowledge, your department issued a press release that day, correct.
A. I don't recall that.
Q. You were unaware that your department issued a press release announcing this big search of Mr. Jackson's home.
A. I don't recall specifics on who arranged that. 2657

Q. Do you know if any fingerprint testing has ever been done on this card that has the words “I miss you, Daddy Michael”.
A. Not to my knowledge.
Q. Did you arrange for anything like that.
A. No.
Q. Would it have been your responsibility to do that.
A. No. I believe it would have been possibly forensics.
Q. Were you wearing gloves when you touched the card.
A. Yes.
Q. Okay. How many people were in the master bathroom with you when you searched.
A. I don’t recall.
Q. Was it you alone.
A. No.
Q. Was it more than three.
A. I don’t recall.
Q. Okay. Is there any other area of the main house that you searched on that day.
A. Yes.
Q. Where else did you search.
A. I believe Mr. Jackson’s daughter’s room.
Q. Okay. Did you search that room alone.
A. No.
Q. Were you with other people when you searched 2658

that room.
A. Yes.
Q. How many, if you know.
A. I don't recall.
Q. Now, you indicated you reviewed the operations plan, right.
A. Yes.
Q. And you read it before the group of 69 people met, right.
A. Yes.
Q. To your knowledge, everybody else had a copy of that operations plan, right.
A. Yes.
Q. Okay. What did you see in the dresser, other than the card, if you remember.
A. I don't recall specifics.
Q. Now, when you looked at this operations plan, you were informed that a prior investigation into Mr. Jackson had been terminated, right.
MR. SNEDDON: Object. It calls for hearsay, Your Honor.
THE COURT: Sustained.
Q. BY MR. MESEREAU: It was your understanding that this search with 69 people grew out of an attorney calling Santa Barbara --
MR. SNEDDON: Your Honor, I'm going to object. It's beyond the scope of direct.
THE COURT: Sustained. Sustained. It's 2659

outside the scope.
MR. MESEREAU: Last question.
Q. Your property report says you retrieved other greeting cards, correct.
A. That's not correct.
Q. Is that not correct.
A. That's not correct.
Q. Okay. It was only one greeting card.
A. Yes.
MR. MESEREAU: Okay. No further questions, Your Honor.
MR. SNEDDON: Thank you. No further questions.
THE COURT: Thank you. You may step down.
THE WITNESS: Thank you.
MR. SNEDDON: Let's try O'Grady this time. Detective. Did you walk off with the bag.
THE WITNESS: Yes, I did. Sorry about that.
MR. SNEDDON: Thank you.
THE COURT: Come forward. When you get to the witness stand, please remain standing. Face the clerk and raise your right hand.

SHAWN O'GRADY
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and 2660

spell your name for the record.
THE WITNESS: It's Shawn O'Grady.
S-h-a-w-n. O, apostrophe, G-r-a-d-y.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. SNEDDON:
Q. Deputy O'Grady, you're employed by the sheriff's department, correct.
A. That's correct.
Q. How long have you been with the sheriff's department.
A. Since 1997.
Q. And were you assigned to participate in the execution of a search warrant on November the 18th of 2003.
A. Yes, I was.
Q. And that was at Neverland Valley Ranch.
A. That's correct.
Q. And in connection with the execution of that search warrant, did you perform any responsibility about searching.
A. Yes, I did.
Q. And where were you assigned to search.
A. I was assigned to search the bedroom, the bathroom area of Michael Jackson's room.
Q. As a result of your looking in the area you've described to the jury, did you seize 2661

something.
A. Yes, I did.
Q. And what did you seize.
A. I seized a book with sexually explicit
material in it.
Q. And where was that book located the first
time that you saw it.
A. It was on the border of his bathtub.
Q. I'm going to show you an exhibit that's in
evidence as People's Exhibit 62.
Do you recognize that photograph.
A. Yes, I do.
Q. Is that the area you searched.
A. Yes, it is.
Q. Do you see in that photograph the location
of the item that you seized.
A. Yes, I do.
Q. And does that photograph depict the location
of that item at the time you first saw it.
A. Yes, it does.
Q. Would you please circle and put your
initials. And I'm going to ask you to put the
number "588" by it.
Thank you. Your Honor, at this time I have
an item, it's a brown bag with a "#307" in black in
the upper right-hand corner, and it's marked as
People's 588 for identification purposes. I'd like
the bag and its contents marked as Exhibit 588. 2662

THE COURT: All right. That's 588.
MR. SNEDDON: Go ahead, or give time to counsel.
MR. MESEREAU: We're okay. We're okay.
MR. SNEDDON: Okay. Good. The next item I'd like to have marked for identification purposes is a one-page photograph marked as People's Exhibit No. 711 for identification purposes.
Q. All right. I'm going to ask you some questions.
I direct your attention, first of all, to the bag that's in front of you that's been marked as People's 588 for identification purposes, all right. Would you look at the contents of the bag, please. Yeah, just --
Now, you've taken out of that bag a book, correct.
A. That's correct.
Q. Do you recognize that book.
A. Yes, I do.
Q. Is that the item you seized on November 11th.
A. Yes, it is.
Q. At the location depicted in the photograph.
A. That's correct.
Q. After you took that item into your custody and care, what did you do with it then.
A. Took it to where we were doing the -- or, 2663

actually, I went to Lieutenant Klapakis and asked him if this is something that he wanted seized.
Q. Okay. And after that conversation, what did you do.
A. He said it was, and we took it over where we were bagging the evidence up.
Q. And what was -- was that where Detective Padilla was.
A. That is correct.
Q. Is that book in the same condition as it was on the day that you seized it.
A. It appears to be, yeah.
Q. And with regard to the exhibit that's in front of you, 711, do you see that.
A. Yes.
Q. Does 711 accurately depict the front cover of that book.
A. Yes, it does.
MR. SNEDDON: Your Honor, I'd move that 588 and 711 be admitted into evidence.
MR. MESEREAU: No objection, Your Honor.
THE COURT: They're admitted.
Q. BY MR. SNEDDON: And the exhibit that's on the overhead there is Exhibit 711, correct.
A. That's correct.
Q. And that's the one that you said accurately depicts the front cover of the book that you have in front of you, which is 588, correct. 2664

A. Yes, that's correct.
Q. All right. Thank you.
I have no further questions, Your Honor.
THE COURT: Are you going to want the Elmo
on.
MR. MESEREAU: No, Your Honor. That's okay.
But I would like to see the item of evidence.

CROSS-EXAMINATION
BY MR. MESEREAU:
Q. Mr. O'Grady, you seized a book titled
"Bidgood," and the name is "Taschen" at the bottom;
is that correct.
A. Yes, that's correct.
Q. And do you know where that book came from.
A. No.
Q. Do you know that Mr. Taschen is a German
photographer who was going to photograph the Jackson
family.
A. I have no idea, no.
Q. Are you aware that Mr. Taschen sent this to
Mr. Jackson.
A. No, I do not.
Q. And that's Peter Pan on the cover, correct.
A. I don't know. It looks like a person
playing a pan flute. Could be like a mythological
person or something.
MR. MESEREAU: Okay. No further questions. 2665

MR. SNEDDON: Jeff Ellis.
THE COURT: Do you have any other questions.
MR. SNEDDON: No, I'm sorry. No further
questions.
THE COURT: Thank you. You may step down.
MR. SNEDDON: I'll take those out of the way
for you.
THE COURT: Remain standing. Face the
clerk, please. Raise your right hand.

JEFFERY ELLIS
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and
spell your name for the record.
THE WITNESS: My name is Jeffery Ellis.
J-e-f-f-e-r-y. Ellis, E-l-l-i-s.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. SNEDDON:
Q. Mr. Ellis, you're employed by me.
A. That's correct. By the District Attorney's
Office.
Q. And how long have you been a detective/
investigator with the Santa Barbara District
Attorney's Office. 2666

A. For four years.
Q. And prior to that, did you have any law enforcement experience.
A. I did. I was a police officer in Lompoc for nine years.
Q. Now, on November the 18th of 2003, you participated in the execution of a search warrant at Neverland Valley Ranch, correct.
A. I did.
Q. And during the course of your assignment there, were you involved in doing some searching.
A. I did.
Q. And during the time that you were searching, did you seize an item.
A. I did.
Q. And do you recall where that item was that you seized.
A. It was in the lower -- what I would describe as the lower portion of the bedroom, Michael Jackson's bedroom, the downstairs.
Q. And where downstairs.
A. Near the fireplace.
Q. And was it on -- sitting on something, or on the floor, or do you recall.
A. It was in a bag, a B. Dalton book bag on the floor, as I recall.
Q. And then when you seized that item, what did you do with it. 2667

A. I gave it to the deputy that was logging in evidence.
Q. Would that be Detective Padilla.
A. Yes, Detective Padilla.
Q. All right.
MR. SNEDDON: Your Honor, I've shown counsel the two exhibits I would like to have marked. The first one is a brown paper bag that contains the number "#313" at the top. And it has an evidence tag number 589 for identification purposes. And a photograph, one-page photograph that we've had marked as People's 710 for identification purposes.
MR. MESEREAU: No objection, Your Honor.
MR. SNEDDON: Well, let me get there first.
MR. MESEREAU: All right.
MR. SNEDDON: I appreciate the cooperation, but....
Q. All right. Detective Ellis, first of all, why don't you take a look at the book, the Exhibit 589. You're removing the book from the bag, correct.
A. That's correct.
Q. Do you recognize that book.
A. I do.
Q. And was that the book that you seized from Mr. Jackson's downstairs bedroom area.
A. That appears to be the same book. 2668

Q. Now, with regard to the exhibit, is it in the same condition as it was at the time you seized it.
A. It appears to be.
Q. All right. And with regard to the Exhibit 710 the photograph, do you see that.
A. Yes, I do.
Q. Does that photograph accurately depict the front page of the Exhibit 589.
A. It does.
Q. All right. Thank you. Why don't you hand me just that.
Your Honor, now I'm going to move to admit it into evidence.
MR. MESEREAU: No objection.
THE COURT: Both items.
MR. SNEDDON: Please, Your Honor. 589 and 710.
THE COURT: They're admitted.
MR. SNEDDON: And we're going to display the Item 710 on the Elmo, Your Honor.
Q. Detective Ellis, that's the item that you seized in the bag on the floor.
A. It is.
Q. That's the front cover of it.
A. The front cover, yes.
MR. SNEDDON: No further questions, Your Honor. 2669

1 THE COURT: It’s time for our break.
2 (Recess taken.)
3 THE COURT: Counsel.
4 MR. MESEREAU: Thank you, Your Honor.
5
6 CROSS-EXAMINATION
7 BY MR. MESEREAU:
8 Q. Is it detective.
9 A. It’s investigator.
10 Q. Investigator, okay. Okay.
11 Investigator, referring you to Item 313 --
12 A. Okay.
13 Q. -- which was just in front of you.
14 A. Yes.
15 Q. Whether you like this kind of material or
16 not, this is not illegal, is it.
17 A. Not as far as I know.
18 Q. Okay. In fact, you can get material like
19 this on amazon.com, correct.
20 A. I believe you can.
21 Q. Okay. Do you know if this was ever tested
22 for fingerprints.
23 A. I don’t know that.
24 Q. Okay. You seized it, though, right.
25 A. I seized it, yes.
26 Q. Did you have gloves on.
27 A. I had gloves on during the search, yes.
28 Q. Who did you give this to. 2670

A. Detective Padilla.
Q. Okay. Did he have gloves on, to your knowledge.
A. I really don't remember.
Q. Do you know if anybody ever suggested this book be fingerprinted.
A. No, I wouldn't know that.
Q. I guess now that I've touched it, my prints are on it, right.
A. That's correct.
Q. What is the procedure for having something like this fingerprinted.
A. I really wouldn't know. That's kind of beyond the scope of my involvement in the case.
Q. So you typically see something you want to seize, you transport it to who you think is next in the chain to receive it, right.
A. Well, in this case that's correct.
Q. Okay. And why were you giving it to this person.
A. To Detective Padilla.
Q. Yes.
A. Because he was the person that was designated as being in charge of logging and packaging the evidence that was seized.
Q. Did you look and see what Detective Padilla did with it.
A. I saw him put it in a bag. 2671

Q. Was that the last time you saw it until today.
A. No. Until Tuesday.
Q. Okay. Okay. But you had no responsibility at all to ensure or request fingerprint testing.
A. No. That was beyond the scope of my involvement.
MR. MESEREAU: Okay. No further questions, Your Honor.
THE COURT: Thank you.
MR. SNEDDON: No questions, Your Honor.
THE COURT: You may step down.
MR. SNEDDON: Conn Abel.
Would you have Conn come down.
MR. ELLIS: Yes, I will.
THE COURT: Please face the clerk and raise your right hand.

CONN ABEL
Having been sworn, testified as follows:

THE WITNESS: Yes, I do.
THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: Conn Abel, A-b-e-l.
//
//

BY MR. SNEDDON:
Q. Hi, Mr. Abel. You're employed by the sheriff's department, correct.
A. Yes, I am.
Q. You're going to have to lean into that microphone here.
A. Yes.
Q. We're all having the same problem here. How long have you been a deputy sheriff.
A. 30 years.
Q. In the course of your experience as a deputy sheriff, how long have you been a detective.
A. I was a detective for eight years, and then I supervised a detective -- narcotics detectives for approximately two years.
Q. How long were you assigned to narcotics.
A. Eight years.
Q. Now, going back to November 18th of 2003, were you involved in the execution of a search warrant at Neverland Valley Ranch.
A. Yes, I was.
Q. And were you assigned certain responsibilities in connection with that search.
A. Yes.
Q. And was one of the areas you were assigned to search an area known as the arcade.
A. Yes, it was.
Q. And could you describe just basically to the 2673

ladies and gentlemen of the jury what the arcade looked like, as you recall.
A. The bottom floor was a multitude of just about every arcade game that you could possibly think of, a photo booth.
The back of the arcade towards what I call the north area of the arcade, was a storage room.
Outside the back door, there was some showers, dressing rooms.
Upstairs in the arcade were a couple more games. I believe there were a couple more games upstairs.
And then as you walked through the door up -- which I believe was like the north door of the upstairs, there was a library.
Q. Is there a room that is called a cellar.
A. Yes, there is.
Q. And did you go down into the cellar --
A. Yes, I did.
Q. -- as part of your responsibilities.
A. Yes.
Q. And in the cellar, can you tell us whether or not you saw any alcoholic beverages down there.
A. Yes, there were.
Q. Would you tell the jury what you saw and where you saw it.
A. On a wall in the back of the -- what I call the kitchen area, as you go down into the cellar, 2674

you would then make a right turn and go into the main cellar area.
If you continued going right, you would then go around another corner, and there was an entryway into a little kitchen area. And in that kitchen area there were bottles of wine on the wall, red and white wine.
In a storage cabinet, there were just a multitude of different types of liquor. Vodka, whiskey, liqueurs. And then there were open bottles of wine and liqueurs in the refrigerator.
Q. Do you remember the name of any of the vodkas you saw there.
A. I do remember Smirnoff, Skyy, Grey Goose. I think there was another one that was listed in the report, Chopin. Maybe Chopin.
Q. Don’t look at me. I don’t drink that stuff.
A. I remember in the report, it said Chopin. And I remember Skyy, Grey Goose, Smirnoff would be for sure.
Q. Okay. Now, during the time that you were in the cellar, did you seize any items of literature -- or books.
A. Yes, I did.
Q. And let me show you a couple of exhibits, if I can.
Well, do you remember the number of books that you took. Let me do it another way. Let me do 2675

it another way.
All right. Your Honor, for the record, I've handed down -- and they've had a chance to examine it. The first number is 581 for identification purposes. It's a clear plastic bag that has inside of it a brown bag with the numbers "#505" on it, and it appears to contain several books.
Item 582 is another brown bag with "#508" at the top right-hand corner. It's a brown bag that contains a book.
And the last item, Your Honor, is Item 583, with a black number "#509" in the upper right-hand corner.
All right. Detective Abel, with regard to -- let's start with the first one, if we can, which is 581. Do you see that bag.
A. Yes, I do.
Q. And with regard to the brown bag that's inside it, it has several books, correct.
A. Yes, it does.
Q. Would you remove the books and examine them for a moment, if you would.
All right. With regard to the three books that you took out of the item marked as 581 for identification purposes, do you recognize those three books.
A. Yes, I do.
Q. Could you tell the ladies and gentlemen of 2676

the jury where those books were located the first time that you saw them.
A. The books were located -- as I mentioned before, you went into the library, and you continued to the right into the main area. I'm sorry, of the cellar. You continue into the right, and then straight ahead to the right there would have been a wine rack on the wall, which did not have wine in it. Kind of in the left lower corner of that wine rack that was on the wall, these books were sitting in the wine rack.
Q. You mentioned before there was a wine rack with wine in it. Where was that located in relationship to this one where the books were found.
A. That would have been in the kitchen area. That would have been continuing on to the right around the corner and into the kitchen area.
Q. So this is in the larger area.
A. This is in the main -- the main cellar area.
Q. Are those books in the same condition that they were on the day that you seized them.
A. They appear to be, yes.
Q. And when you obtained those books and decided to seize those books, what did you do with them.
A. I gave those -- these books -- I instructed Detective Cooley to retain those books as evidence.
Q. And by "these books," do you mean the ones 2677

that were inside the bag marked “581”.
A. Yes, sir. There are three books total.
Q. Correct.
A. Yes.
Q. That you gave to Detective Cooley.
A. Yes.
Q. That were in 581.
A. Yes.
MR. SNEDDON: Move they be admitted into evidence, Your Honor.
MR. MESEREAU: No objection.
THE COURT: All right. They’re admitted. That’s 581, 582 and 583.
MR. SNEDDON: Would you put those back in the bag right now.
THE COURT: No, those are -- just 581. Those are all books within 581.
MR. SNEDDON: Yes, sir.
THE COURT: Okay.
Q. BY MR. SNEDDON: Now, let’s turn our attention to 582, if we can.
A. Yes, sir.
Q. And would you examine the contents of 582, please.
All right. Do you recognize the book that you took out of the bag marked as 582 for identification purposes.
A. Yes, I do. 2678

Q. And where was that book located the first time that you saw it.
A. It was in a cardboard box that was located in the upstairs library.
Q. So we're out of the cellar now; is that correct.
A. Yes, sir.
Q. And we're on the second floor of the arcade.
A. Yes.
Q. And there's a library up there.
A. Yes.
Q. And this was located where in relationship to the actual library books.
A. If I could explain. As you entered into the library, there were rows and racks of built library racks where books would fit in them. However, in the room, it was jam-packed full of bags and boxes that were stacked throughout the library also. This happened to be in a cardboard box that was stacked in the library.
Q. Okay. And after you determined to take the item marked as 582, who did you give that item to, if anyone.
A. Detective Cooley again.
Q. With the same process.
A. Yes, sir.
Q. And does that book appear to be in the same condition it was at the time that you seized it on 2679

November the 18th of 2003.
A. Yes.
MR. SNEDDON: Your Honor, move it be admitted into evidence.
MR. MESEREAU: No objection, Your Honor.
THE COURT: It's admitted.
MR. MESEREAU: I'll say no further objection.
Q. BY MR. SNEDDON: Now, lastly, let's go to the item that's marked as Exhibit 583 for identification purposes. Do you recognize that book.
A. Yes, I do.
Q. And where was the item -- the book that you've taken out of 583, where was that located the first time that you saw it.
A. In a box in the library, a cardboard box within the library.
Q. Do you know whether or not it was in the same kind of cardboard box as the other exhibit or in a different one.
A. I seem to recall it was together, but I can't recall exactly for sure if they were in the same box or if they were in a box -- it was in a box right next to that one.
Q. Okay. Fair enough.
And is it in the same condition that it was at the time you first saw it. 2680

A. Yes.
Q. And did you follow the same process with
regard to giving that to Deputy Cooley.
A. Yes, I did.
Q. All right. Why don't you put that back in
there, if we could.
And, Your Honor, I would move it be admitted
into evidence.
MR. MESEREAU: No objection. No further
objection.
THE COURT: It's admitted.
You don't have to say that. I understand
the other hearing you reserved those objections.
MR. MESEREAU: Thank you, Your Honor.
MR. SNEDDON: Your Honor, for the record,
I want to indicate that the first item I showed
counsel was a brown paper bag with a figure "#1001"
and "#1001," capital "A" in the upper right-hand
corner.
And within that brown bag, there are two --
the brown bag, the items inside are marked for
identification purposes separately, but I think I
probably should put a separate one on the brown bag
itself just for purposes of housekeeping.
Is that the recommendation of the clerk and
the Court.
THE COURT: Yes.
MR. SNEDDON: All right. Thank you. 2681

So the record will be complete then, Your Honor, the brown bag itself is going to be marked as 714 for identification purposes. And the plastic bag inside of 714 that contains a brown bag has been marked as 584. And the second clear plastic bag which contains a white binder is 585. So 584 and 585 are inside of the 714.

The second item is another brown bag, Your Honor, that has "#1002" and "#1002," capital "A," and I'm affixing the evidence stamp as Evidence Stamp No. 716 for identification purposes.

And these items I've shown to counsel. And they contain items that are marked for identification purposes as 586, which is a clear plastic bag containing a brown bag. And the second item is 587, which contains a clear plastic bag with a white binder with the "Item 1002" on the front of it.

And then lastly, Your Honor, I have shown counsel two photographs. The first one is marked as People's 713 for identification purposes. And the second one is Exhibit No. 715 for identification purposes.

Q. All right. Detective Abel, let me ask you this: In addition to the areas that you've described to the ladies and gentlemen of the jury that you searched that day, was there another area that you were assigned to search. 2682

A. Yes, there was.
Q. And what area was that.
A. That was what is referred to as the museum and/or Mr. Jackson's office area.
Q. And in that particular office area, were there some -- were there some items that you seized.
A. Yes.
Q. And with regard to the exhibits that are in front of you that are marked as -- I'm sorry, the first brown bag is what, seven --
A. 716.
Q. 7 -- no, on the tag. The evidence tag. The manila one right where your hand is.
A. It says Exhibit 716.
Q. Oh, okay. And the second one.
A. 714.
Q. Okay. Now, with regard to those two exhibits, 716 and 714, where within the office were they found.
A. They were in a rest room area of the office. And as you entered the rest room, the toilet area would have been to the right. To the left was a sink/cabinet area.
And the magazines, if you opened up the middle drawers -- doors of the cabinet, they were on a flat shelf underneath that cabinet.
MR. SNEDDON: Your Honor, I have shown counsel two photographs that have been marked 2683

previously for identification purposes as 105 and 106 for identification purposes.
Q. Detective, with regard to the photographs, People's Exhibit 105, do you recognize what's depicted in that photograph.
A. Yes.
Q. Is that an accurate depiction of what it purports to represent.
A. Yes.
Q. With regard to 106, is that an accurate depiction of what it purports to represent.
A. Yes.
Q. With regard to --
Your Honor, I move they be admitted into evidence.
THE COURT: They're admitted.
Q. BY MR. SNEDDON: Now, if we can just have -- I'll get them from you.
Your Honor, I'm going to use the Elmo for the next few minutes.
Now, that is Exhibit 105. Do you recognize that.
A. Yes, I do.
Q. Could you tell the ladies and gentlemen of the jury what that photograph depicts.
A. It's the cabinet that would be on the left-hand side as you walk in, and that would be the right-hand side of that sink/cabinet area as you 2684

looked at it and you opened it up.
Q. And with regard to the photograph, or the magazine depicted in that photograph, is that one of the magazines that you took from that area.
A. Yes.
Q. And do you know whether that would be the item contained in 716 or 714.
A. I'd have to look real quick.
Q. Why don't you do that for us, please. It should have a separate exhibit number on it, so feel free to pull those out, because I'm going to ask you some more questions.
A. It would be the one that was in Exhibit 714.
Q. And it has a separate identification number that's on the brown bag in front -- I'm sorry. In the plastic bag you just pulled out, what's the number on that.
A. 585.
Q. All right. The white binder, 585, contains the magazine depicted in the photograph, correct.
A. Yes.
Q. All right. Now, do you see the photograph that we've placed on the board, which is 106, I believe.
A. Yes. Yes, I do.
Q. And what is that.
A. That was the left-hand side of the cabinet that would -- with a door on it that you could open 2685

1 up.
2 Q. And does that photograph depict the location
3 of the item that you seized.
4 A. Yes, it does.
5 Q. And the item itself.
6 A. Yes.
7 Q. Okay. Now, when you seize -- by the way, we
8 should tie up a loose end here.
9 With regard to the photograph, 106, and the
10 magazine depicted in that photograph, the exhibit --
11 which one of the large brown bags did that come out
12 of. That would be 716.
13 A. That's the one that's up there now.
14 Q. Yes, sir.
15 A. 716.
16 Q. All right. Would you please take those
17 exhibits out.
18 And you're removing the plastic sleeve from
19 the white binder. I can't even talk.
20 A. That is marked 587.
21 Q. 587.
22 A. Yes, sir.
23 Q. Okay. Now, please look at the first page of
24 that, if you would. Do you recognize that.
25 A. Yes, I do.
26 Q. And is that the magazine that you seized on
27 November 18th.
28 A. It's in a little different condition, but, 2686

yes.
Q. It wasn't all put in a binder at that time.
A. That's correct.
Q. It's the way it was depicted in the photograph.
A. Yes.
Q. All right. Now, you have -- and why don't you leave those out for just a second. There's two additional photographs that I presented to you up there.
A. Yes, sir.
Q. Okay. And with regard to -- what are the numbers of those photographs.
A. 713.
Q. Okay.
A. And 715.
Q. All right. Let's talk about 713. Does 713 accurately depict the front cover of the magazine you took out of the Exhibit 716.
A. Yes, it does.
Q. It's an accurate depiction of that.
A. Appears to be, yes.
Q. And then let's go to 715. That photograph, can you compare that to the front page of the exhibit that came out of seven -- 714. Or just give me the exhibit number. That's fine.
A. It came out of 585. The 715, which is marked, which is the paper you gave me, is an 2687

accurate depiction of the front page of the magazine that I took from that cabinet.
MR. SNEDDON: Okay. So, Your Honor, I'd move that 713 and 715 be admitted into evidence.
THE COURT: They're admitted.
MR. SNEDDON: Your Honor, just a housekeeping matter. I did move 105 and 106 in evidence.
THE CLERK: (Nods head up and down.)
MR. SNEDDON: Thank you, Your Honor.
Q. All right. I'm going to place 713 on the board, on the Elmo.
All right. That's the photograph that you identified as being a depiction of the front cover of the item you seized; is that correct.
A. Yes, sir.
Q. All right. And the next exhibit.
That one is marked as 715, correct.
A. Yes, sir.
Q. And is that the photograph that you identified as being an accurate depiction of the front cover of that magazine that you took.
A. Yes, it is.
MR. SNEDDON: All right. I think we can have the lights now, Your Honor.
Q. Actually, I guess I should probably show those books. Might as well do that and get that over with, and then I have only one more question to

1 ask. Why don't you hand me those.
2 All right. We're going to just ask you
3 to -- from the three books that are in five -- it's
4 an oversized book, but is that the title of the book
5 that you seized.
6 A. Yes, it is.
7 Q. Do you remember why you seized it.
8 A. It depicted male and female nudes. Some, if
9 not -- I'm not sure how many, but it would appear
10 that they were adolescent or young in appearance.
11 Q. Okay. And the second book. Doesn't have a
12 title. But do you remember that book.
13 A. Yes, I do.
14 Q. I'm sorry, I guess it does on the -- it's
15 called "Drew and Jimmy." Do you recall that.
16 A. Yes, I do.
17 Q. With regard to that book, do you recall why
18 you took that book.
19 A. I recall that it depicted males that were
20 either nude and/or semi-nude.
21 Q. And the last book is called "Room to Play."
22 Do you recall why you seized that book.
23 A. Because it depicted male and/or female
24 young-appearing individuals that were nude and/or
25 semi-nude.
26 Q. The next one I'm going to show you is from
27 582. It's in evidence. Do you recall that.
28 A. Yes, I do. 2689

Q. And the reason that you took that.
A. It depicted males and/or females that looked and/or appeared to be youthful, nude and/or semi-nude.
Q. Now, with regard to -- do you see the front part of the face on this particular exhibit.
A. Yes, I do.
Q. 582.
A. Yes.
Q. Was that the condition of the book at the time that you seized it.
A. Yes, sir.
Q. And then the last one that's in People's 583, which is called Cronos.
A. Yes.
Q. For the court reporter, that's C-r-o-n-o-s. And do you recognize that item.
A. Yes, I do.
Q. And why did you take that.
A. It has a multitude of pictures in it showing photographs of individuals from a youthful age to an older age, nude and semi-nude.
Q. All right. Thank you.
All right. I believe we can have the lights back on, Your Honor.
MR. MESEREAU: I thought you were through.
MR. SNEDDON: No, almost.
All right. The last item that I have with 2690

this witness is a large plastic case that we have had marked -- and I've shown it to counsel -- we've had marked as 717 for identification purposes, and has on the front of it a white sheet of paper with the Item No. 1009 for tracking purposes.
Q. Now, Detective Abel, I've handed you the Exhibit 717, the black case.
A. Yes, sir.
Q. Are you familiar with that.
A. Yes, I am.
Q. And where was that item the first time that you saw it.
A. It was in what I'd describe as a closet area, closet/storage area of the main -- or Mr. Jackson's museum or office.
Q. And with regard to that particular item, was it open or closed at the time that you took it. I'm sorry, I want to rephrase that. Was it open or closed at the time you first saw it.
A. Closed.
Q. And did you open it up.
A. Yes, I did.
Q. And would you describe to the ladies and gentlemen -- first of all, let me go back, just to do a little foundation here.
You told the ladies and gentlemen of the jury that you worked narcotics for a while; is that correct. 2691

A. Yes, I did.
Q. Quite a while, actually.
A. Yes.
Q. And in the course of working narcotics, did you become familiar with surveillance equipment.
A. Yes, I did.
Q. Did you become familiar with equipment that is used to monitor telephone calls.
A. Yes, I did.
Q. And with regard to the Exhibit 717 that you found in Mr. Jackson's closet in Mr. Jackson's office, with regard to that particular exhibit, when you opened it up, did you recognize what was inside.
A. Yes, I did.
Q. And tell the ladies and gentlemen of the jury what was inside.
A. There was a large tape-recorder capable of accepting multiple headsets. There's wire packages in there. There's a suction cup that would be utilized to monitor phone calls. There's wires that would plug into it that have adapters that go into phone receptors. There's extendable -- not "extendable." There's small little, what we'd call, to a degree, pinpoint, pinhole-type microphones that are in there that have adapters or have the fittings on it that fit into that type of recorder.
So in my opinion, it was used to monitor activity, conversations on the phone and/or off the 2692

phone.
Q. Now, with regard to the exhibit itself, when you opened it up, were there any written materials inside.
A. Yes, there were.
Q. What were they.
A. There's a business card for a private investigator inside of it. There are price lists for the itemized items. There are detailed instructions on how to monitor and video-surveil a room. There's detailed instructions on how to operate and tape phone calls.
Q. Were the instructions the kind that were preprinted or were they in some handwritten form; do you recall.
A. There's some of both in there.
Q. Some of both.
A. Some of both.
Q. Okay. Now, with regard to the Item 717, after you seized it and took it into your possession, what did you do with it.
A. I gave it to Detective Cooley to package as evidence.
Q. And does it appear to be in the same condition now as it was when you seized it.
A. Yes, sir.
Q. And with regard to the contents of it, I asked you during your three days of waiting here to

open it up and inspect the items inside, correct.
A. Yes, you did.
Q. And those items are in the same condition as when you turned it over to Deputy Cooley.
A. Yes.
MR. SNEDDON: Your Honor, move 717 be admitted into evidence.
MR. MESEREAU: Relevancy.
THE COURT: It's admitted.
Q. BY MR. SNEDDON: Detective, in your experience, and based upon your training and your years as a narcotics officer, could you tell the ladies and gentlemen of the jury whether or not it is legal for someone to listen in to or monitor another person's telephone call.
MR. MESEREAU: Objection. Relevance; no foundation.
THE COURT: It calls for a legal conclusion. I'll sustain the objection.
Q. BY MR. SNEDDON: Are you familiar with the existence of laws that proscribe the conduct of listening in to other people's telephone calls.
A. Yes, sir.
Q. And did you have to learn those in connection with your responsibilities as a narcotics officer and as a sheriff, deputy sheriff.
A. Yes, sir.
MR. SNEDDON: Nothing further, Your Honor. 2694

THE COURT: Cross-examine.
MR. MESEREAU: Yes, please.

CROSS-EXAMINATION
BY MR. MESEREAU:
Q. With respect to that equipment you just described --
A. Yes, sir.
Q. -- did you ever determine if it had ever been used.
A. It appears to have been, yes.
Q. Why do you say that. Did you test it.
A. I did not test it, no.
Q. Then how do you know it's been used.
A. A lot of the wiring indeed has been re-manipulated. It doesn't appear to be new condition. It appears to be scratched, appears to be used. Appears to be in an older condition.
Q. You didn't test to see if it's ever been used, did you.
A. No, I did not.
Q. Do you know where that came from, that equipment.
A. Came from the office area in Mr. Jackson's office.
Q. Do you know where it was purchased.
A. I do not.
Q. Do you know if it was lawfully purchased. 2695

A. I would only assume no.
Q. You can buy that equipment, can't you.
A. Law enforcement can, I know.
Q. You don't really know if you can buy that lawfully or not, do you.
A. Possibly if I went to the appropriate store I could maybe get some of that stuff.
Q. A citizen of the United States can go to a store and buy that stuff, can't they.
A. I -- I'm not sure about the microphones. No, sir, I don't know about that.
Q. So what you're saying is you don't know, right.
A. About --
Q. Whether an ordinary citizen can lawfully purchase that equipment or not, right.
MR. SNEDDON: Your Honor, object as argumentative.
THE COURT: Overruled.
THE WITNESS: You could say that I guess I really don't know for sure.
Q. BY MR. MESEREAU: And you don't know how that equipment ever got to Neverland, do you.
A. No, sir.
Q. You don't know if it was given to Mr. Jackson or purchased, right.
A. There's prices in there, so I could only assume that it was purchased. 2696

Q. Well, if someone gave it to Mr. Jackson, they'd have probably purchased it first, wouldn't they.
MR. SNEDDON: Your Honor, I'm going to object. Assumes facts -- calls for a conclusion. Speculation.
THE COURT: It's argumentative. Sustained.
MR. MESEREAU: Okay.
Q. You don't know where that originated, do you.
MR. SNEDDON: Object; argumentative.
THE COURT: Overruled.
You may answer.
THE WITNESS: If you want -- if you wanted me to look inside there, there's a company in there, and I can tell you the name of the company.
Q. BY MR. MESEREAU: Even if you knew the name of the company, you wouldn't know how that got to Neverland, would you.
A. No, sir. But you asked me if I knew where it was originated.
Q. That equipment appeared to be associated with a private investigator, true.
A. I -- I didn't seize it. And when I opened it up and looked at it, I didn't seize it for that purpose. And I didn't know at the time it was associated with a private investigator, no, sir.
Q. I'm not asking what the purpose was in 2697

seizing it. I'm just asking you if -- from what you saw when you looked at that equipment, did it appear it could be associated with a private investigator.

MR. SNEDDON: Your Honor, I'm going to object again. It calls for a conclusion and speculation.

THE COURT: Overruled.

THE WITNESS: At the time that I seized it, I did not know that it was associated with a private investigator, no, sir.

Q. BY MR. MESEREAU: My question was different. My question was, based on what you saw when you examined that equipment, did you think you had reason to believe it was associated with a private investigator. Yes or no.

A. No.

Q. What about the card you just described for the jury. Tell them what was on the card, please.

MR. SNEDDON: Your Honor, there are two questions.

THE WITNESS: You asked me two questions, sir.

MR. MESEREAU: I did, and I'm sorry. I'll withdraw it, Your Honor.

Q. Please tell the jury what was on that card that you found with the equipment.

A. Do you want me to open it up and look at it. I can tell you exactly what's on it. 2698

Q. Sure.
A. The exact wording on the card is “General, Special and Electronic Investigations. California License P19356. James A. Lupori, Private Investigator, P.O. Box 4250, Culver City, California 90231. Telephone number (310)390-8384.” And “Fax, (310)397-9563.”
Q. That was in the material. Is that where you found the card.
A. Yes, sir.
Q. Okay. And for the jury’s benefit, the card mentions a number on it. And I don’t mean the phone number. It mentions a -- what really appears to be a license number, correct.
A. Yes, sir.
Q. For a licensed investigator, correct.
A. Could be, yes.
Q. Could be. What did you think it was.
A. There’s a license on there. But whether it’s actually a license number for that individual or not, I don’t know, because I didn’t investigate that.
Q. Well, putting an investigation aside, you, as an investigating officer, look at a card like that. It gives a name. It mentions investigations. It gives a number. Did it ever occur to you that might be a license number for a California licensed 2699

investigator.
A. Could be.
Q. Did it ever occur to you that it might be.
A. It occurred to me that it couldn't be also.
Q. Okay. All right. So basically you didn't
care.
A. No, I did care. I just don't know whether
P19356 is actually a license number that would be
associated with a private investigator, and/or this
individual, sir. That's what I'm trying to say.
Q. Did you ever check out whether the name on
the card and the phone number worked.
A. No, sir.
Q. Okay. Did you think that was part of the
scope of your responsibilities.
A. No, sir.
Q. Okay. Did you prefer to just avoid that
issue.
MR. SNEDDON: Object as argumentative, Your
Honor.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever ask to have
anybody test the equipment at any stage of this
investigation.
A. No, sir.
Q. Based upon what you knew of Neverland Ranch,
did it ever occur to you that security might be a
concern to Mr. Jackson. 2700

A. Yes.
Q. Now, let me ask you this: If you're in your house, and you have a phone system, and you pick up your phone and somebody -- you're upstairs and somebody downstairs is speaking on the phone and you listen, have you committed a crime.
MR. SNEDDON: Your Honor, I'm going to object. Calls for a legal conclusion. That's --
THE COURT: Sustained.
Q. BY MR. MESEREAU: Are there any other documents in that case.
A. Yes, there are.
Q. Would you please tell the jury what those documents are.
A. Sure.
The first document has handwritten, "Video Briefcase Surveillance System with Audio." It says, "Video Briefcase." It has a description of what would be in a video briefcase. It has handwritten, "$4,995," tax, UPS, a total of $5,443.59, and the word "Total," and that is on one sheet.
The next sheet looks to be either off a computer and/or a typewriter. It is printed instructions for voice-operated telephone recording, professional ten-hour recorder. It has Items 1 through 6 of how to, I believe, operate that type of system.
The next one is "Equipment For Law 2701

Enforcement Agencies, Professional UHF Transmitters and Receivers, Crystal Controlled." It has a multitude of -- one, two, three, four, five, six, seven -- seven separate types of wireless transmitters, and a list of optional equipment that could be purchased.

And then it says "Other Equipment Systems for Law Enforcement and Export." And it talks about vehicle tracking, video transmitters, specialized video and optical systems, thermal imaging, et cetera.

Q. Let me ask you this: Do any of those documents appear to relate to a security system.

A. No, sir.

MR. MESEREAU: May I approach, Your Honor.

THE COURT: Yes.

Q. BY MR. MESEREAU: Sir, I'm showing you one of the documents. It says, "Remote Room Audio Monitor." Do you see that.

A. Yes, I do.

Q. It talks about a phone jack, it talks about an answer relay, it talks about a microphone, correct.

A. Yes, it does.

Q. It says, "Call answer relay from any telephone anywhere in the world." Do you see that.

A. Yes, I do.

Q. You also see another -- what appears to be a 2702

drawing, correct.
A. Yes, I do.
Q. Does it say on it “Video Surveillance System with Audio”.
A. Yes, it does.
Q. Does it talk about how to set a video monitor with three screens.
A. Part of it, yes, sir.
Q. Does it talk about an infrared light source for a target area for night illumination.
A. Yes, sir.
Q. Does it refer to a video monitor with a nine-inch screen.
A. Yes, sir.
Q. Does it refer to an infrared -- excuse me. Does it refer to a miniature camera with a transmitter.
A. It does, yes.
Q. Does it talk about a clock video camera.
A. Let me -- talks about that. Smoke alarm, et cetera, cameras.
Q. Are you telling the jury it never occurred to you that might relate to a security system, Officer.
A. I’m not sure that it -- in totality, no, it --
Q. So you think that had nothing to do with security at Neverland. Is that what you’re telling 2703

1 the jury under oath.
2 A. I don't know what to tell you. It looks
3 like -- I mean, this document here, telephone taping
4 system. I don't know what to tell you, except I
5 know that that doesn't relate to security. That
6 relates to the items that are in here for taping
7 telephone calls.
8 Q. The items you just agreed that are described
9 on that document do not relate to a possible
10 security system at Neverland.
11 A. I guess you could say -- I could say yes, it
12 could.
13 Q. Okay. You never checked that out, correct.
14 A. No, sir. It wasn't -- it was not in the
15 rooms that I was associated with.
16 Q. Okay. Did you ever go to any security
17 personnel at Neverland, show it to them and say,
18 "Have you seen this before. Do you know why it's
19 here."
20 A. No, I did not.
21 Q. Okay. Do you know if anybody ever did.
22 A. I do not know.
23 Q. Now, you certainly know that Neverland is a
24 rather large area, correct.
25 A. Yes, sir.
26 Q. You have a main gate with security personnel
27 when you enter, correct.
28 A. Yes. 2704

Q. It's about a 2800-acre ranch, true.
A. Yes, sir.
Q. You have got security personnel working throughout Neverland, correct.
A. Yes.
Q. Did you ever see any surveillance-type equipment at Neverland while you were there.
A. I don't recall seeing surveillance equipment, sir.
Q. Now, obviously you knew when you went there that Michael Jackson is one of the world's most famous entertainers, right.
A. Sure.
Q. And you knew that he routinely travels with security personnel to protect him, correct.
A. Correct.
Q. And did it ever occur to you that security might be a real concern at Neverland.
A. Could be.
Q. Could be.
A. Yes, sir.
Q. But you're not sure.
A. Well, he has a lot of people going there. I don't know exactly what kind of security he may have. He has a multitude of people in and out of there on a regular basis, so I don't know what kind of security he may have established.
Q. Did you ever sit down with any of the 2705

government prosecutors and discuss that equipment.
A. No.
Q. Did you ever talk to Mr. Sneddon about what you were going to say today when you took the witness stand.
A. No, I did not.
Q. Did you just take the stand without ever discussing your testimony at all with him.
A. I don't think I discussed with him what I was going to testify to, no, sir.
Q. Okay. When you found that equipment, what is the first thing you did with it.
A. I looked at it, and gave it to the officer to book as evidence.
Q. Okay. Which officer was that.
A. That was Detective Cooley.
Q. Do you know if the equipment was ever fingerprinted.
A. No, sir, I do not.
Q. Did you ever request that it be fingerprinted.
A. I was not in that part of the investigation.
Q. Have you ever learned at any point whether or not it was fingerprinted.
A. I don't know.
Q. Okay. Now, when you were at Neverland, did you investigate the kinds of security systems in place at Neverland. 2706

A. No, sir.
Q. Do you know whether or not, for example, there are cameras that might indicate whether or not someone is entering or leaving.
A. I do not know that.
Q. Do you know whether or not there are cameras that might indicate whether or not someone's entering or leaving the main residence.
MR. SNEDDON: Your Honor, I'm going to object. He's already said he didn't do anything. Lack of foundation. I object. Immaterial.
THE COURT: I'm going home.
(Laughter.)
See you Monday.
(The proceedings adjourned at 2:30 p.m.)
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REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 2522 through 2707 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on March 17, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, March 17, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304